take action!
INTRODUCTION

The zero tolerance approach to school discipline, originally intended to address the growing concerns of school safety, has been expanded to include overly harsh punishments for conduct that has no bearing on safety. Zero tolerance is applied not only to serious weapons, violence, and drugs but also to potential weapons, imaginary weapons, perceived weapons, a smart mouth, headache medicine, tardiness, and spitballs. School districts are not acting alone. In most places, school districts have teamed up with law enforcement to create the “schoolhouse to jailhouse track” by imposing a “double dose” of punishment - suspensions or expulsions and a trip to the juvenile court - for minor acts of misconduct.

No one is safe from the schoolhouse to jailhouse track— age, grade, past behavior, and disabilities are often irrelevant. However, with the increased presence of police in public schools, and the expanded use of suspensions and expulsions, students of color are being pushed out or thrown out of schools at alarming rates.

This action kit provides guidance on how to dissect the schoolhouse to jailhouse track by:

- Collecting information and data about school discipline policies and practices; and
- Analyzing and organizing the data.

Ending the Schoolhouse to Jailhouse Track Project

Advancement Project is supporting community activists who are working to end the schoolhouse to jailhouse track. The information contained in this action kit is gleaned from Advancement Project’s work over the past five years on these issues and the experiences of the Ending the Schoolhouse to Jailhouse Track Project, a partnership between: Advancement Project, Padres Unidos/Jovenes Unidos (Denver, CO), Southwest Youth Collaborative (Chicago, IL), the Children and Families Justice Center at Northwestern University Law School (Chicago, IL), and Community Alliance for Reform in Education (C.A.R.E.) (Palm Beach County, FL).

The Ending the Schoolhouse to Jailhouse Track Project seeks to expose and reform the way in which schools have turned to law enforcement and courts to handle minor school disciplinary infractions. Through participatory research, the partners in this project have been able to gather quantitative and qualitative data to first, enable us to have an understanding of the depth of the problem. Second, the research has permitted us to map the track – exactly how are youth being sent packing into the juvenile justice system directly from school – and the outcomes for them once their trip on the track begins.
Third, the research has given us a richer understanding of the impact of the track, the professed reasons for its existence, and the institutions and persons involved. As a result, we are in a stronger position to mobilize our allies and work toward a consensus for reforms that anticipate potential obstacles and opportunities for sustainable change.

In each of these three sites the schoolhouse-to-jailhouse track is in full operation and communities have begun to realize its adverse impact on students. This action kit is intended to assist mobilized communities (parents, youth, advocates and educators) in their quest to better understand the operation of the schoolhouse to jailhouse track so that they may ultimately eliminate the negative trends and create caring learning environments where this track is non-existent.

What is Zero Tolerance?

Zero tolerance school disciplinary policies and practices exclude students from the educational process through suspensions and expulsions for misconduct; these practices also lead to unnecessary arrests or ticketing of students. Often zero tolerance policies are rigid and unthinking (e.g. ten days suspension for a fight regardless of circumstances). In many schools, however, zero tolerance is a “take no prisoners” approach to discipline, where subjectivity leads to punishment that does not fit the conduct (e.g., three days suspension for “disrespect of authority” or “disobedience”). There is growing concern that these practices are pushing out students that schools consider “disposable” due to low test scores or have labeled “troublemakers.” Nationally, zero tolerance disciplinary practices have disproportionately impacted students of color for minor acts. Students suspended or expelled are more likely to fall behind or fail academically, drop out, and find themselves in the juvenile justice system.
DATA COLLECTION

Getting Up To Speed

The first step in understanding the operation of zero tolerance in a school district is to understand the context of the issue. What triggers zero tolerance? What is punishable? To gain a better understanding of school disciplinary policies and practices, the following materials may be helpful, and can typically be found on the Internet:

- State education laws that govern discipline. To comply with federal law, state education laws require a one-year expulsion of students in possession of a firearm on school grounds. Most state laws go beyond firearms to mandate expulsions or suspensions for other conduct including: drugs, other weapons, violence, etc., and list offenses which require or permit referral to law enforcement. State laws may also indicate whether a suspended or expelled student is entitled to continued educational services, and may detail disciplinary hearing procedures.
- Local School District Code of Conduct. Many public school districts have district-wide disciplinary codes that list all disciplinary offenses and punishments permitted by schools within the district. These policies typically include more offenses than indicated in state law.
- School Disciplinary Code. In some districts, individual schools may have their own code of conduct that details the policies specific to the school.

Most school districts collect suspension and expulsion data. In some states, school districts are also required to maintain student arrest data or referrals to law enforcement. State Departments of Education and local school districts commonly collect this data in the following types of reports that may also be available on the Internet:

- School Accountability Report Cards;
- Safety and Discipline Reports;
- School Safety and Climate Reports;
- Student Disciplinary Action Reports; or
- School Violence Reports.

In addition, the Office for Civil Rights of the U.S. Department of Education collects and publishes school district discipline data in its bi-annual Civil Rights Report Card (www.ed.gov/about/list/ocr/index.html.)

If the school resources are not readily available on the Internet, a letter requesting this information, i.e. public records request, may be necessary.
Public Records Requests

Most school discipline data and related information is considered public record and thus, must be made available to any member of the public upon request. The best way to obtain this information is by making a formal written request. [See Appendix I.] Before making a public records request, it is important to have a clear idea of what type of data/information is going to be most useful to an overall campaign. For example, if a community member believes that a disproportionate number of Latino elementary school students are being suspended unnecessarily for classroom disruptions, then a public records request for suspension data broken down by race, grade, age and type of incident should be sent to public school officials.

Also, it is critical to have an understanding of the state’s public records law. In particular, it is useful to know if the law requires that the district respond within a certain time, and how much can be charged for compiling and copying the requested information. This can be especially helpful if difficulties are encountered in obtaining the information.

For more information about state public records laws, visit the National Freedom of Information Coalition website at: www.nfoic.org.

The following agencies typically maintain school discipline and/or arrest data:

- State Departments of Education;
- School Districts;
- School Police Departments and/or local Police Departments;
- State Departments of Juvenile Justice; and
- Court Administrators at local juvenile/municipal/state courts.

The types of data and information that will prove helpful in understanding the schoolhouse to jailhouse track are:

- suspensions, expulsions and arrests/referrals to law enforcement by reason, race, gender, grade and school;
- school prevention and intervention programs, requirements for accessing those programs and participation rates by race, age and gender of students;
- school security budgets;
- hiring qualifications and training materials for school security and police officers;
- race of school security and police officers assigned to schools;
- agreements between school districts and local police departments for law enforcement services; and
- outcomes (or disposition) of cases referred to law enforcement from schools (may be maintained by courts).

See Appendix I for sample public records requests used in mapping the schoolhouse to jailhouse track.
Tips for Public Records Requests

SENDING CORRESPONDENCE:

A) After identifying the appropriate agency/agencies, send the initial request. A reminder system should be created for all requests in order to keep track of the date by which the agency should respond.
B) Maintain a record of all correspondence; this should include all phone conversations, faxes, and mailings.
C) All mailed correspondence should be photocopied before sending it.
D) For all faxed correspondences, keep a copy of the letter and fax cover page, along with the confirmation page.
E) Keep all correspondences in a binder in reverse chronological order, so that the most recent correspondence will appear first, and so on.

RECEIVING CORRESPONDENCE:

A) All correspondence received, except the actual data, should be kept with the originating correspondence.

DATA NOT RECEIVED:

A) Make follow-up calls and send faxes to the original contact person at the agency.
B) Follow-up should be done promptly. In some states, if too much time passes between the initial request and the follow-up request, the request process will have to start over.
C) If the agency states that it does not maintain the data requested, use this opportunity to find out the exact data it does keep that may be useful; however, if it does keep the data but denies access, an appeal of the agency’s decision may be an option under state law.
Q: Who can make public records requests?
A: In most states the general public may request access to most public records. Some states however, may limit requests to citizens of the state.

Q: What records are available?
A: Each state has laws that identify the types of records that are open to public inspection. Generally, school discipline policies and statistics are public records. While records of juveniles are typically subject to privacy laws, statistical data relating to juveniles are not and are thus, public records.

Q: Do I need to tell the state or local agency why I want the information or what I will do with it?
A: It depends. States are usually only interested in knowing if the information will be used for "commercial" purposes (for a profit). Keep your request short and concise.

Q: In what form may I request the data?
A: You may ask that data be provided in hard copy and/or electronically. If you have software available to analyze the data (i.e., Excel), you should ask for it electronically so that you will not have to input the data in order to analyze it. It may also prove to be less expensive to receive the data electronically than in hard copy. Some agencies may refuse to provide data in a format that permits analysis and may only provide it in PDF or hard copy.

Q: Do I have to pay for the records I request?
A: It depends. Most states allow the state and local agencies to charge a fee for copying the information; some states also allow the agencies to charge an hourly rate for staff time used to search for and compile the information. In addition, many states provide for a reduction in fees or a waiver of fees if the information sought is in the 'public's interest'. You should check your state public records law for more information.

Q: How long does the agency have to respond to my request?
A: It varies. Some state laws give specific time-frames during which an agency must respond (e.g. seven working days), while other state laws are written more broadly allowing for a "reasonable amount of time" in which to respond.

Q: If I request a record that also contains private information or information that is not subject to public disclosure, will my request be automatically denied?
A: Not necessarily. Most states allow the state or local agencies to strike portions of the record that are confidential or to simply leave it out altogether (e.g. not providing the names of youth arrested in school) from the record which is provided to the public.

Q: If my request is denied, can I appeal the decision?
A: Most state laws provide for an appeal process. Because most laws require an explanation for the rejection, sometimes it is easiest to contact the agency to find out how the request should be modified.
Data Analysis and Organization

Data analysis and organization are key to educating allies and adversaries about the schoolhouse to jailhouse track. Data will paint a picture of the depth of the problem and its impact on groups of students by race, gender, age, grade and school. The analysis will help tell the story and provide insight into the types of reforms needed. However, errors in data analysis can tremendously undermine the credibility of a campaign for reform. Thus, it is critical to spend a significant amount of time understanding and organizing the data that will prove that the schoolhouse to jailhouse track exists.

Maintaining the Integrity of the Data

In maintaining the integrity of the data, the following guidelines are suggested:

• Keep a clean copy of the original set of data and detailed records indicating where, when, and from whom it was received. This is essential for citing the source of the data accurately. It is also helpful to have this information in the event that a follow-up call about the data or if a request for additional information or data is necessary. More importantly, this information can be very helpful if the data is questioned by an outside party.
• Understand the data before using it and compare “apples to apples.” For example, if arrest data for several school years was requested, make sure that the data analyzed is for the corresponding periods of time. Thus, dates should match for comparisons. This can affect the number of arrest incidents and ultimately compromise the integrity of the data analysis.
• If the data needs to be manually entered, have a system of checks and balances to eliminate human error.

Conducting the Analysis

Often public records responses are incomplete or the data may contradict another source or have subtle nuances. Data can be easily misinterpreted if not reviewed carefully.

Data comes in many forms, once received a standardized way to enter and analyze it should be implemented. If data will be compared and contrasted, it is even more important to standardize the entry and analysis of data. For example, when comparing school incident data from Florida, Maryland, and Texas, different terms were used for disruptive behaviors. In Maryland it was called ‘disorderly conduct’; in Florida, there were several different names such as ‘disruption’, ‘disruptive behavior’, and ‘disturbing school activities’; and in Texas, different terminology was also used. In order to avoid confusion, it was necessary to verify that the incidents were similar in nature by contacting the agency that provided the information, and then categorize them uniformly as “disorderly conduct.”
Additionally, always compare data using a minimum of three consecutive years in an effort to demonstrate a trend.

**Lessons Learned**

• There are often discrepancies between data requested and data received. For example, in response to a request for student arrest data from the Chicago Police Department, data was provided which supposedly reflected “all student arrests.” Upon closer examination it was discovered that it only showed the arrests of 17 and 18 year olds. A follow-up call was made, and the Chicago Police Department stated that they consider youth ages 16 and younger to be minors and could not release their information due to privacy laws. An appeal was filed arguing that the quantitative data did not reveal the identities of minors and therefore was not covered by privacy laws. We won the appeal and subsequently data was received for all ages.

• Race data is not collected uniformly. School districts, law enforcement agencies and courts may all maintain race data in different ways. In Florida, for example, the Florida Department of Law Enforcement does not maintain Latino data but school districts do. Law enforcement agencies are notorious for bad data; in particular, race data kept by these agencies often undercount or wrongly categorize people. In some places, for example, arresting officers are responsible for indicating the race of persons arrested, and may categorize Latinos either by surname or skin color.

• Data requests for school-based arrests should include arrests by age. Although a campaign may not be focused on age, it is important for the analysis to collect this data in order to eliminate arrests of adults on school grounds.

• The same data may be collected by two different agencies and maintained in different formats. For example, data of student arrests made in Palm Beach County Public Schools is maintained by the Palm Beach County Public Schools Police Department and the Florida Department of Law Enforcement (FDLE). While it is the same data, it is reported differently. The FDLE maintains the data on a calendar year, while the school district can generate a report for any period of time. In addition, the FDLE only maintains data for Blacks, Whites, American Indians, and “Orientals,” while the school police department includes Latinos. Based on the available arrest codes, it was concluded that Latino arrests are likely coded as White arrests; this analysis was further supported through interviews with various public defenders who stated that most of the student arrest records coded as White” are in fact Latinos. Such data is misleading because it masks racial disparities.
• School districts may list one incident of violence that includes more than one student – leading to more than one arrest. In districts that only maintain incident data, using the data may undercount the number of arrests. Further, students may be arrested and charged with more than one offense (e.g. fight leads to an arrest for assault, disorderly conduct and resisting arrest). Thus, in analyzing the reasons youth were arrested, a uniform rule should be devised for categorizing arrests with multiple offenses. For example, an arrest for a fight that resulted in battery, assault and disorderly conduct charges, might be categorized by the most serious offense, i.e., battery.

• Many school districts, especially those that use the services of local police departments, often do not collect student arrest data. Local police departments maintain arrest data however they may not break out the numbers by schools and or crimes by students. For example, in Chicago, it was necessary to access the neighborhood crime mapping system to identify crimes on school campuses. This data was not helpful because it included crimes committed by adults and crimes after school hours. A formal public records request to the Chicago Police Department ultimately yielded the information needed.

• In larger school districts, it may be most efficient to narrow requests to those schools that are the target of a campaign.

Beyond the Numbers

To thoroughly understand how disciplinary policies truly operate on a daily basis, interviews and surveys are crucial. There can be a significant gap between the policies “on-paper”, the numerical data and real life experiences. This information not only gives life to the numbers but also shows the impact on students, families and community.

STAKEHOLDER INTERVIEWS

Interviews, narratives and stories provide in-depth understanding and perspectives on the issue of zero tolerance. Interviewees not only provide anecdotes, but they also explain the data and ultimately help map the schoolhouse to jailhouse track. [See Appendices II and III.] Common sources of anecdotal data include:

• students;
• parents;
• teachers;
• school administrators(e.g. principals; vice principals; school safety department);
• school board members;
• school police officers;
• local police departments;
• state department of education officials (school safety department);
• state law enforcement or juvenile justice agency officials;
• juvenile court judges;
• diversionary program administrators;
• probation officers;
• state or district attorneys; and
• public defenders.

See Appendix III for sample interview protocols.

INTERVIEW AND STORY DOCUMENTATION TIPS

• Some parents and students are uncomfortable sharing their identity with the general public. This is particularly the case if the student is under age 18 and still enrolled in school or is an undocumented immigrant. Thus, when collecting stories to be used publicly, the age and immigration status of the student and her family should be considered. The potential risks to the student and family who decide to publicly share their story should be discussed.

• An arrest is a private matter. While many parents and students are outraged by the unjust criminalization of youth by their schools, it is often difficult to find students who have been arrested and are willing to talk about their experience publicly. Often the students and their families are embarrassed or concerned about continued harassment. Additionally, when a case is pending in court, statements made by the student or parent may be used against them. Parents and lawyers representing these youth should be involved in any discussions about revealing the youth’s identity.

• Attending juvenile court and/or expulsion proceedings to witness the schoolhouse to jailhouse track first hand helps to paint a clearer picture of how the track works and the negative impact it has on students and their families. In some places these court proceedings are open to the public.

COMMUNITY SURVEYS

Surveys can be a critical tool in gaining a deeper understanding of the impact of zero tolerance school discipline policies in a particular community. [See Appendix IV.] Surveys may assist in identifying: youth treated unfairly through disciplinary measures, potential allies, and safety concerns that should be considered when formulating reforms. Often these surveys are helpful in gauging perceptions, but may not be useful as quantitative data unless a significant number of people are surveyed.

For more information about community surveys, go to the Data Center’s website: http://www.datacenter.org/research/creatingsurveys.
ABOUT ADVANCEMENT PROJECT

Advancement Project is a national policy, communications, and legal action organization that develops, encourages, pioneers, and widely disseminates innovative ideas and models that inspire and mobilize a broad national racial justice movement to achieve universal opportunity and a just democracy. For the past five years, Advancement Project has focused on the use and devastating effects of zero tolerance disciplinary policies in public schools.

Advancement Project has continued to develop its expertise on this issue by publishing articles in magazines and journals and working with community organizations to curb this onslaught. Because of our on-the-ground work on zero tolerance, we recognized that zero tolerance is at the intersection of education and juvenile justice concerns. As we worked with communities we recognized a national pattern -- students were not only being pushed out of school because of zero tolerance policies but they were simultaneously being pushed into the juvenile justice system.

“Education on Lockdown: The Schoolhouse to Jailhouse Track” is Advancement Project’s second report examining the emergence of zero tolerance school discipline policies and the evolution of schools using police as disciplinarians. To view a copy of the report and learn more about Advancement Project visit www.advancementproject.org.

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Fax: 202/728-9558
Email: cjrc@advancementproject.org
Date:

Via First Class Mail and Facsimile (555) 555-1212

[Name]
Public Information Office
Public Schools District

RE: Public Records Requests

Dear Mr. ________:

This letter is to request access to the following public records in your custody and control. Pursuant to section 24-72-203 of the Colorado Public Records Act, please make the following records available for review and photocopying:

1. All documents indicating enrollment for each school by race or ethnicity, gender, grade and disability from [insert dates].

2. All documents indicating by school, the number of students arrested or referred to law enforcement for alleged misconduct in schools by race/ethnicity, gender, age, grade, reason for arrests, and outcome of arrests from [insert dates].

3. All documents detailing the number of citations/summons and/or tickets issued to students by school resource officers, security guards and/or other law enforcement officers assigned to schools from [insert date], disaggregated by school, race/ethnicity of student, race/ethnicity of officer, age of student, gender of student, type of offense and outcome of citations/summonses from [insert dates].

4. All documents indicating by school, the number of students referred to juvenile or criminal court for alleged misconduct in school by race, gender, age, grade, reason for referral and outcome of referrals from [insert dates]

5. All documents indicating by school, the number of school resource officers, security guards and/or other law enforcement officers assigned to schools in your district by race/ethnicity, gender, and years of experience from [insert dates].

6. All documents detailing hiring and training procedures and policies of school resource officers, security guards and/or other law enforcement officers assigned to schools in your district from [insert dates].

7. All documents indicating the amount of funds budgeted annually for school resource officers, security guards and/or other law enforcement officers assigned to schools in your district from [insert dates].
8. All documents indicating the amount of funds budgeted annually for other security measures, including technology (metal detectors, cameras, etc.)

9. All documents indicating the policies which may cause students to be referred to law enforcement/arrested/ticketed from [insert date].

10. All memoranda of understanding and other contracts between [police department] and [public school system] regarding the employment and responsibilities of school resource officers and other law enforcement officers assigned to schools from [insert date].

11. All documents indicating grant proposals and grants received for school security (technology, security guards, school resource officers, etc.)

Please let us know the cost of photocopying the requested records before they are duplicated. If you have any questions or concerns, please do not hesitate to contact me at .

Thank you for your prompt attention to this matter.

Sincerely yours,

[Insert name]
Appendix II

Schoolhouse To Jailhouse Tracks
DENVER SCHOOLHOUSE TO JAILHOUSE TRACK

Direct Track (Arrests or Tickets)

**Arrest or Ticket at School**

- **Denver County Court**
  - Court Room 191J
  - Hears cases involving minor offenses (e.g., disturbing the peace)
  - Approximately 1,000 cases are from Denver Public Schools per year
  - No attorneys provided

- **One of two courts**

- **Denver District Court**
  - Denver Juvenile Court
  - Hears cases involving more serious offenses (e.g., weapons and drugs)
  - Public Defenders are Available to Indigent Youth

- **Potential Outcome**
  - Probation - up to 1 year
  - Diversion Program
  - Community Service

- **Failure to Appear**
  - Will result in a Bench Warrant
  - May spend 2 days at a juvenile jail and a $300.00 fine.

DPS Discipline Track ("Push-Outs")

- **Denver Public Schools**
  - Suspension – up to 5 – 10 days
  - Sometimes during suspension, parents receive Expulsion Hearing Notice – continue suspension until hearing.

- **D.P.S. Expulsion Hearing**

- **Potential Outcome**
  - Transferred
  - Expelled
  - Behavior Contract
  - Alternative School
  - Not Allowed in D.P.S.

- **Students may be “pushed out” of school**

- **JAIL TRACK**
When a petition is filed in juvenile court

1) Many cases are subsequently dismissed – approximately 40%.
2) Even when a petition is filed in court and subsequently dismissed, or the judge finds the minor not delinquent, the school will often continue with expulsion proceedings in which there are minimal due process safeguards for the student.
Palm Beach County Schoolhouse to Jailhouse Track

School Incident

School Administrator

Call Parents
No record

In-School Suspension
Academic Record

Out of School Suspension
Academic Record

Call School Police
Arrest

Teen Mediation
No Record
(if successful)

Youth Court
No Record
(if successful)

Probation Officer
Can recommend
diversion OR
STATE ATTORNEY

Youth Court
Nolle Prosse
Record

Juvenile Court
Hearing

Probation/
Detention

Juvenile Record
Appendix III
Interview Protocols
INTERVIEWING A JUDGE

Date: ________________________ Name of Interviewer: ________________________

Introductory Statement to be made by interviewer: Hello, my name is ____________ and I am a member of (name of organization). We are investigating the way schools arrest students for minor behavior and sometimes refer these students to juvenile court. We would like to gather information from judges who hear cases involving incidents that occurred at schools. We will be asking you questions about your experiences as a juvenile court judge. Before we begin, do you have any questions?

CONTACT INFORMATION
Name of Judge
Name of Court
Address of Court
Telephone No. of Judge
Race/Ethnicity of Judge
Language(s) Spoken by Judge

QUESTIONS
1. How long have you been a Judge?
2. How long have you been a juvenile court judge?
3. What formal training do you receive for your position as a juvenile court judge?
   a. Do you receive training on adolescent development?
   b. Do you receive training on children with disabilities?
4. How often do you receive this training?
5. Do you believe police officers should be assigned to schools? If so, why? If not, why not?
6. What percentage of the cases you hear involve a student’s conduct in school?
   a. Percentage of delinquency cases?
   b. Percentage of truancy cases?
7. What percentage of the cases you hear involve students with disabilities who have allegedly misbehaved in school?
8. What are typical cases? E.g., fights, classroom disruption, etc?
9. Please give an example of a case involving a school incident that you thought did not warrant police or court involvement?
10. Typically, how are these school cases resolved?
    a. Dismissal?
    b. Probation? If so, how long? What are the typical terms of probation?
    c. Payment fines? If so, how much?
    d. Referred to diversionary program? Under what circumstances?
    e. Referred to alternative school?
    f. Other?
11. How often do students who are placed on probation violate probation?  
   a. What is the typical reason for the violation?  
   b. What happened?  
12. Is the outcome of cases involving students with disabilities any different from the  
   outcome of similar cases involving students without disabilities?  If so, please  
   describe the different outcomes?  
13. Are educational or emotional disabilities taken into consideration in deciding  
   whether a student’s case should go forward?  
14. Are educational or emotional disabilities taken into consideration in deciding  
   the punishment/disposition of a student’s case?  
15. What is the race/ethnicity of students involved in most of school incident cases?  
   Gender?  
16. From which schools are most of these school incident cases coming?  
17. Do teachers or other school administrators attend juvenile court hearings to  
   defend these cases?  
   a. If not, what information from the school does the district attorney use to  
      prosecute these cases?  
18. What information do you consider when you defend or decide school incident  
   cases?  For example, do you consider whether a student has a disability?  
   Grades? Etc.  
19. What types of programs or services are available to students who find themselves  
   in juvenile court due to alleged school misconduct? Please describe.  
   a. Diversionary programs?  
   b. Alternative Schools?  
   c. Counseling?  
20. What are the criteria for entering these programs?  
21. Do you believe that these programs or services are effective? If so, why? If  
   not, why not?  
22. What type of student behavior should result in an arrest or referral to juvenile  
   court?  
   a. Drug violations?  
   b. Alcohol violations?  
   c. Fights (without weapons)?  
   d. Dangerous Weapons?  
   e. Robbery?  
   f. Disobedience or Defiance?  
   g. Destruction of School Property?  
   h. Other?  
23. What do you think needs to be changed in order to reduce the number of  
   students being referred to juvenile court from schools?  
24. Do you know of any other lawyers, Judges or parents who would be willing to  
   speak with us about their experiences with students who have been arrested in  
   school for minor infractions and/or referred to juvenile court?  
   a. If so, may I have his/her contact information?
INTERVIEWING A LAWYER

Date: ___________________ Name of Interviewer: ___________________

**Introductory Statement to be made by interviewer:** Hello, my name is _________ and I am a member of (name of organization). We are investigating the way schools arrest students for minor behavior and sometimes refer these students to court. We would like to gather information from lawyers who represent students who have been referred to juvenile court for incidents that occurred in school. We will be asking you questions about your experiences representing these students in court. Before we begin, do you have any questions?

**Contact Information**
Name of Lawyer
Name of Law Office
Address of Lawyer
Telephone No. of Lawyer
Race/Ethnicity of Lawyer
Language(s) Spoken by Lawyer

**Questions**
1. How long have you been a lawyer?
2. How long have you represented young people in juvenile court?
3. Do you believe police officers should be assigned to schools? If so, why? If not, why not?
4. Do you believe school police officers are doing a good job? Why or why not?
5. What percentage of the cases you handle involve a student’s conduct in school?
   a. Percentage of delinquency cases?
   b. Percentage of truancy cases?
6. What percentage of the cases you handle involve students with disabilities who have allegedly misbehaved in school?
7. What are typical cases? E.g., fights, classroom disruption, etc?
8. Please give an example of a case involving a school incident that you thought did not warrant police or court involvement?
9. Typically, how are these school cases resolved?
   a. Dismissal?
   b. Probation? If so, how long? What are the typical terms of probation?
   c. Payment fines? If so, how much?
   d. Referred to diversionary program? Under what circumstances?
   e. Referred to alternative school?
   f. Other?
10. How often do students who are placed on probation violate probation?
    a. What is the typical reason for the violation?
    b. What happened?
11. Is the outcome of cases involving students with disabilities any different from the
outcome of similar cases involving students without disabilities? If so, please describe the different outcomes?

12. Are educational or emotional disabilities taken into consideration in deciding whether a student’s case should go forward?

13. Are educational or emotional disabilities taken into consideration in deciding the punishment/disposition of a student’s case?

14. What is the race/ethnicity of students involved in most of school incident cases? Gender?

15. From which schools are most of these school incident cases coming?

16. Do teachers or other school administrators attend Juvenile Court hearings to defend these cases?
   a. If not, what information from the school does the district attorney use to prosecute these cases?

17. What information do you consider when you defend school incident cases? For example, do you consider whether a student has a disability? Grades? Etc.

18. What types of programs or services are available to students who find themselves in juvenile court due to alleged school misconduct? Please describe.
   a. Diversionary programs?
   b. Alternative Schools?
   c. Counseling?

19. What are the criteria for entering these programs?

20. Do you believe that these programs or services are effective? If so, why? If not, why not?

21. What type of student behavior should result in an arrest or referral to juvenile court?
   a. Drug violations?
   b. Alcohol violations?
   c. Fights (without weapons)?
   d. Dangerous Weapons?
   e. Robbery?
   f. Disobedience or Defiance?
   g. Destruction of School Property?
   h. Other?

22. What do you think needs to be changed in order to reduce the number of students being referred to juvenile court from schools?

23. If a student is undocumented and gets arrested or referred to court, will the student get deported? If so, what types of crimes lead to deportation?

24. Do you know of any other lawyers, judges or parents who would be willing to speak with us about their experiences with students who have been arrested in school for minor infractions and/or referred to juvenile court?
   a. If so, may I have his/her contact information?
INTERVIEWING A PARENT

Date: ____________________  Name of Interviewer: ____________________

Introductory Statement to be made by interviewer: Hello, my name is ___________ and I am a member of (name of organization). We are investigating the way schools arrest students for minor behavior and sometimes refer these students to court. We are gathering stories from parents whose children have been arrested in school. After we have gathered all the stories, we will publish a report that exposes the problem and offers solutions. We will keep the information you share with us confidential and will not make it public unless you give us permission to do so. Do you have any questions?

CONTACT INFORMATION
Name of Parent/Guardian
Address of Parent/Guardian
Telephone No. of Parent/Guardian
First Name of Student
Race/Ethnicity of Student
Language(s) Spoken by Student
Language(s) Spoken by Parent/Guardian
Name of School Student Now Attends
Name of School Principal
Current Grade of Student: _________________  Age of Student: _________________
Name of School Where Disciplinary Incident(s) Occurred
Name of School Principal
Month/Year of Disciplinary Incident(s)

QUESTIONS
1. Which of the following word or words best describes your child’s school security officers and police officers? Please explain your answer?
   a. Friendly
   b. Fair
   c. Mean
   d. Unfair
2. Has your child ever been arrested or given a ticket at school? If so, how many times?
3. Describe the incident(s) leading up to the arrest(s) or receipt of tickets?
   a. When did the incident occur?
   b. Where did it occur?
   c. Was a weapon involved? If so, what type of weapon and who used it?
   d. Did a teacher/assistant principal get involved? What is his/her name? What did he/she do?
e. Did a security officer/police officer get involved? What is his/her name?  
   What did he/she do?

f. If your child was arrested, how long did your child stay in jail?

4. Did your child have an opportunity to explain his/her side of the story before he/she 
   was arrested/given a ticket?

5. Did the police officer advise your child of his/her rights before your child was 
   arrested or given a ticket?

6. When were you notified about your child’s arrest or ticket?
   a. What was your child charged with?
   b. Did you know that your child could be arrested for this type of charge?

7. Did your child have to appear in court?

8. Was your child represented by an attorney in court? If so, what was the attorney’s 
   name?

9. When did you speak with the attorney? Before you went to court? In court?

10. Did you understand the juvenile court hearings? Did you need a translator? If so, 
    did you get one?

11. What happened in court?
   a. Was your child placed on probation?
      i. If so, for how long?
      ii. What was your child ordered to do while he/she was on probation?
      iii. Did your child violate probation? If so, what happened?
   b. Did you have to pay a fine? If so, how much?
   c. Was your child given counseling? If so, what kind?
   d. Was your child sent to a program for Juvenile? If so, where and for how long?

12. Before the arrest or ticket, had your child ever been suspended? If so why?

13. Before the arrest or ticket, had your child received special education and related 
    services, like counseling? If so, what types of services?

14. After the arrest or ticket, did your child return to school? If not, where did he/she 
    go?

15. Do you believe your child was treated fairly during the arrest/ticket? At Court? If 
    not, why not?

16. What emotional impact did the arrest/ticket/Court experience have on your child?

17. If you could change the way the school disciplines students, what would you 
    change?

18. Do you know of any other students who have been arrested/received a ticket? 
    If so, would you please give us the name of the students’ parents/Guardians or 
    would you feel more comfortable asking them to contact us?
INTERVIEWING A SCHOOL PRINCIPAL

Date: ________________________ Name of Interviewer: ____________________________

Introductory Statement to be made by interviewer: Hello, and thank you for meeting with us. My name is _____________ and I am a member of (name of organization). We are researching school discipline policies that lead to the arrest of students and sometimes the referrals of these students to court. We will be asking you a few questions about school policies and practices. Before I begin, do you have any questions for us?

CONTACT INFORMATION
Name of School Principal/Asst. Principal
Name of School
Address of School
Telephone No. of Principal
Race/Ethnicity of Principal
Language(s) Spoken by Principal

QUESTIONS
1. How long have you been a principal at this school?
2. Have you served as principal at any other schools? If so, where?
3. What, if any, training did you receive for your position as principal? e.g., where you trained on how to manage student behavior?
4. How often do you receive this training?
5. Do you have school security officer and/or police officers assigned to your school? If so, how many?
6. What are the duties and responsibilities of these security officers?
7. What are the duties and responsibilities of school police officers?
8. To whom do security officers report?
9. To whom do school police officers report?
10. Do you believe that security officers and police officers are needed? If so, why? If not, why not?
11. Do you believe that school security officers are capable of keeping the schools safe and secure without the help of police officers? If so, why? If not, why not?
12. What is the school policy and practice for arresting a student (referring a student to law enforcement)?
   a. Under what circumstances are students arrested?
   b. Who makes the decision to have a student arrested?
13. What is the school policy and practice for giving a student a ticket?
   a. Under what circumstances will a student receive a ticket?
   b. Who makes the decision to give a ticket to a student?
14. What is the school policy and practice for referring a student to court?
   a. Under what circumstances will a student be referred to court?
   b. Who makes the decision to refer a student to court?

15. How are students/parents notified about these policies and practices? When are they notified?

16. What percentage of the student body is arrested for incidents that occur in school?

17. What are the typical reasons for these arrests?

18. What percentage of the student body is referred to court for incidents that occur in school?

19. What are the typical reasons for these referrals to court?

20. What percentage of students with disabilities is arrested? Referred to court?

21. Do you handle the arrest/referral of students with disabilities differently when compared to students without disabilities? If so, what do you do differently?

22. Do your teachers receive formal training on adolescent development? Classroom management? If so, how often are they trained?

23. What types of programs exist at your school that serves as an alternative to the arrest, suspension, or expulsion a child from school?

24. How are these programs funded?

25. What percentage of the students who are arrested or referred to court return to this school?

26. What type of student behavior should result in an arrest or referral to juvenile court?
   a. Drug violations?
   b. Alcohol violations?
   c. Fights (without weapons)?
   d. Dangerous Weapons?
   e. Robbery?
   f. Disobedience or Defiance?
   g. Destruction of School Property?
   h. Other?

27. What, if any, concerns do you have about a student who is arrested of referred to youth court for an incident that occurred in school?

28. If faculty or staff treats a student unfairly, what recourse does the student have?

29. If you could change the way the school disciplines students, what would you change?
INTERVIEWING A SCHOOL TEACHER

Date: ______________________ Name of Interviewer: ______________________

Introductory Statement to be made by interviewer: Hello, and thank you for meeting with us. My name is ____________ and I am a member of (name of organization). We are researching school discipline policies that lead to the arrest of students and sometimes the referrals of these students to Court. We will be asking you a few questions about school policies and practices. Before I begin, do you have any questions for us?

CONTACT INFORMATION
Name of Teacher
Name of School
Address of School
Telephone No. of Teacher
Race/Ethnicity of Teacher
Language(s) Spoken by Teacher

QUESTIONS
1. How long have you been teaching?
2. How long have you been a teacher at this school?
3. What grade(s) do you teach? What subjects?
4. Have you taught at any other schools? If so, where?
5. During your time as a teacher, have you received formal training on adolescent development? If so, how often?
   a. Have you received formal training on classroom management? If so, how often?
6. Do you have school security officers and/or police officers assigned to your school? If so, how many?
7. What are the duties and responsibilities of school security officers?
8. What are the duties and responsibilities of school police officers?
9. To whom do school security officers report?
10. To whom do school police officers report?
11. Do you believe that school security officer are needed? If so, why? If not, why not?
12. Do you believe that school police officers are needed? If so, why? If not, why not?
13. Do you believe that school security officer are capable of keeping the school safe and secure without the help of police officers? If so why? If not, why not?
14. What is the school policy and practice for arresting a student (referring a student to law enforcement)?
   a. Under what circumstances are students arrested?
   b. Who makes the decision to have a student arrested?
15. What is the school policy and practice for giving a student a ticket?
   a. Under what circumstances will a student receive a ticket?
   b. Who makes the decision to give a ticket to a student?
16. Do you handle the arrest/referral of students with disabilities differently when compared to students without disabilities? If so, what do you do differently?
17. Have you ever pressed charges against a student? If so, please describe the incident?
18. Have you ever witnessed a student being treated unfairly by school security or police officers? If so, please describe the incident.
19. What types of programs exist at your school that serve as an alternative to the arrest, suspension, or expulsion a child from school?
20. What type of student behavior should result in an arrest or referral to juvenile court?
   a. Drug violations?
   b. Alcohol violations?
   c. Fights (without weapons)?
   d. Dangerous Weapons?
   e. Robbery?
   f. Disobedience or Defiance?
   g. Destruction of School Property?
   h. Other?
21. What, if any, concerns do you have about a student who is arrested or referred to juvenile court for an incident that occurred in school?
22. Do you feel safe in the school? If not, why not?
23. Do you believe that your school should have more police or fewer police? Please explain your answer.
24. If you could change the way the school disciplines students, what would you change?
INTERVIEWING A SECURITY OFFICER/POLICE OFFICER

Date: __________________________ Name of Interviewer: __________________________

Introductory Statement to be made by interviewer: Hello, and thank you for meeting with us. My name is __________________________ and I am a member of (name of organization). We are researching school discipline policies that lead to the arrest of students and sometimes the referrals of these students to court. We will be asking you a few questions about school policies and practices. Before I begin, do you have any questions for us?

CONTACT INFORMATION
Name of Security Officer/Police Officer
Name of School
Address of School
Telephone No. of Security/Police
Race/Ethnicity of Security/Police
Language(s) Spoken by Security/Police
How long have you been a security officer/police officer?

QUESTIONS
1. How long have you been a security officer/police officer at this school?
2. Have you been assigned as a security officer/police officer at any other school (s)? If so, where?
3. What did you do prior to working as a school security officer/police officer?
4. During your time as a security officer or police officer, have you received formal training on adolescent development? If so, how often?
5. During your time as a security officer or police officer, have you received formal training on classroom management? If so, how often?
6. How many security officers/police officers are assigned to your school?
7. What are the duties and responsibilities of security officers?
8. To whom do security officers report?
9. To whom do school police officers report?
10. What is the relationship between you and the school administration? For example, are you supervised by school administrators, etc.
11. Do you believe that security officers are needed? If so, why? If not, why not?
12. Do you believe that school police officers are needed? If so, why? If not, why not?
13. Do you believe that school police officers are needed? If so, why? If not, why not?
14. Do you believe that school security officers are capable of keeping the school safe and secure without the help of school police officers? If so why? If not, why not?
15. What is the school policy and practice for arresting a student (referring a student to the police)?
   a. Under what circumstances are students arrested?
   b. Who makes the decision to have a student arrested?
16. What is the school policy and practice for giving a student a ticket?
   a. Under what circumstances will a student receive a ticket?
   b. Who makes the decision to give a ticket to a student?
17. What is the school policy and practice for referring a student to juvenile court?
   a. Under what circumstances will a student be referred to court?
   b. Who makes the decision to refer a student to court?
18. When are students read their Miranda rights? By whom?
19. How are students/parents notified about the arrest? When are they notified?
20. What percentage of the student body is arrested for incidents that occur in school?
21. What are the typical reasons for these arrests?
22. What percentage of the student body is referred to court for incidents that occur in school?
23. What are the typical reasons for these referrals to court?
24. What percentage of students with disabilities is arrested? Referred to youth court?
25. Do you handle the arrest/referral of students with disabilities differently when compared to students without disabilities? If so, what do you do differently?
26. Have you ever used a weapon against a student? If so, please explain.
27. If it is necessary to restrain a student, how do you do it?
28. How do you interact with students or parents who do not speak English?
29. What types of programs exist at your school that serves as an alternative to the arrest, suspension, or expulsion a child from school?
30. What percentage of the students who are arrested or referred to youth court return to this school?
31. What type of student behavior should result in an arrest or referral to youth court?
   a. Drug violations?
   b. Alcohol violations?
   c. Fights (without weapons)?
   d. Dangerous Weapons?
   e. Robbery?
   f. Disobedience or Defiance?
   g. Destruction of School Property?
   h. Other?
32. What, if any, concerns do you have about a student who is arrested of referred to youth court for an incident that occurred in school?
33. If you could change the way the school disciplines students, what would you change?
**INTERVIEWING A STUDENT**

Date: ______________________  Name of Interviewer: ______________________

**Introductory Statement to be made by interviewer:** Hello, my name is _________ and I am a member of (name of organization). We are investigating the way schools arrest students for minor behavior and sometimes refer these students to juvenile court. We are gathering stories from students who have been arrested in school. We will keep the information you share with us confidential and will not make it public unless you give us permission to do so. Do you have any questions?

**CONTACT INFORMATION**
Name of Student
Name of Parent/Guardian
Address of Parent/Guardian
Telephone No. of Parent/Guardian
Race/Ethnicity of Student
Language(s) Spoken by Student
Language(s) Spoken by Parent/Guardian
Name of School Student Now Attends
Name of School Principal
Current Grade of Student: ________________  Age of Student: ________________
Name of School Where Disciplinary Incident(s) Occurred
Name of School Principal
Month/Year of Disciplinary Incident(s)

**QUESTIONS**
1. Does your school have security officers? If so, how many?
2. Does your school have police officers? If so, how many?
3. Which of the following word or words best describes your school security officers and police officers? Please explain your answer?
   a. Friendly
   b. Fair
   c. Mean
   d. Unfair
4. How would you describe your school. Does it:
   a. Have a friendly atmosphere
   b. Feel unsafe
   c. Feel like a prison
5. Have you ever been arrested/given a ticket at school? If so, how many times?
6. Describe the incident(s) leading up to the arrest(s)/receipt of tickets?
   a. When did the incident occur?
   b. Where did it occur?
   c. Was a weapon involved? If so, what type of weapon and who used it?
   d. Did a teacher/assistant principal get involved? What is his/her name? What did he/she do?
   e. Did a security officer/police officer get involved? What is his/her name? What did he/she do?
7. Did you have an opportunity to explain your side of the story before you where arrested/given a ticket?
8. Did the police officer read your rights before you were arrested/given a ticket?
9. When were your parents notified about your arrest/ticket?
   a. If you were arrested, how long were you held at the jail?
10. Did you have to appear in court?
   a. If so, when were you told about the court date?
   b. What was the charge?
11. Where you represented by an attorney in court? If so, what was your attorney’s name?
12. When did you speak with attorney? Before you went to court? In court?
13. Did you understand the court hearings? If so, what happened?
   a. Were you placed on probation?
      i. If so, for how long?
      ii. What was your child ordered to do while he/she was on probation?
      iii. Did you violate probation? If so, what happened?
   b. Did you have to pay a fine? If so, how much?
   c. Did you receive counseling? If so, what kind?
   d. Were you sent to a program for youth? If so, where and for how long?
14. Before the arrest/ticket, had you ever been suspended? If so, why?
15. Before the arrest/ticket, had you received special education and related services, like counseling? If so, what types of services?
16. After the arrest/ticket, did you return to school? If not, where did you go?
17. Do you believe you were treated fairly during the arrest/ticket process? At court? If not, why not?
18. If you could change the way the school disciplines students, what would you change?
19. Do you know of any other students who have been arrested/received a ticket? If so, would you please give us the name of the students’ parents/guardians or would you feel more comfortable asking them to contact us.
Appendix IV
Sample Survey
**SAMPLE STUDENT SURVEY**

**Name of Group** is conducting an investigation of the way students at **Name of School** District are being arrested, ticketed, and/or sent to juvenile court for minor behavior that occurs in school. Please take a few minutes to complete this survey. Thank you for your participation.

<table>
<thead>
<tr>
<th>Question</th>
<th>Options</th>
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</table>
| 1. What type of school do you attend?                                   | ____________ Middle School  
                      ____________ High School                                             |
| 2. Does your school have security guards?                               | ____ Yes – How many? ____  
                      ____ No                                                                  |
| 3. Does your school have resource/police officers?                      | ____ Yes – How many? ____  
                      ____ No                                                                  |
| 4. Have you ever been arrested at school in the past 3 years?            | ____ Yes  
                      ____ No                                                                  |
| 5. If so, what was the reason for the arrest?                            | ____ Fight  
                      ____ Weapons  
                      ____ Disobedience  
                      ____ Weapons  
                      ____ Other ______________________                                           |
| 6. Have you ever been issued a ticket or summons at school in the past 3 years? | ____ Yes – How many? ____  
                                                                  |
| 7. If so, what was the reason for ticket or summons?                     | ____ Fight  
                      ____ Weapons  
                      ____ Disobedience  
                      ____ Weapons  
                      ____ Other ______________________                                           |
| 8. Have you ever appeared in juvenile court for behavior that occurred in school? | ____ Yes – How many times? ____  
                                                                  ____ No                                                                  |
| 9. Were you represented by a lawyer?                                     | ____ Yes  
                      ____ No                                                                  |
| 10. What happened with the court case?                                   | ____ Case was dismissed  
                      ____ I was placed on probation  
                      ____ I had to pay a fine  
                      ____ I was sent to a juvenile facility  
                      ____ I was sent to an alternative school  
                      ____ I did not show up to court  
                      ____ Other ______________________                                           |
| 11. May we contact you for additional information?                      | ____ Yes  
                      ____ No                                                                  |
| If yes, please give us your name and telephone number                    | Name ____________________________  
                                                                  Telephone # ______________________                                           |
**ADDITIONAL RESOURCES**


