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# School Pathways to the Juvenile Justice System Project: A Practice Guide

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## INTRODUCTION

Juvenile courts across the nation are facing substantial challenges associated with the unintended consequences of discipline policies such as “zero tolerance.” Zero tolerance policies assign a mandatory consequence specific to an infraction of a rule and leave no room for exceptions or adaptations; therefore, the mandatory consequences are put in place, for any violation of the policy, despite the severity of the crime (APA Zero-tolerance Task Force, 2008). Fueled by the national war on drugs in the 1980s and alarming incidents of school violence in the 1990s, these policies were initially created with good intentions, namely, to create safer schools and environments that fostered education without fear. They have also been largely supported by the public; in one survey, 88% of parents supported zero tolerance policies (Public Agenda, 2004). However, soon after zero tolerance policies became widespread in U.S. schools, researchers, law enforcement, judges and other justice system professionals began recognizing serious and unanticipated implications. Increases in school referrals to the juvenile justice system led to courts overburdened with frivolous juvenile infractions and the unnecessary introduction of low-risk students to the juvenile justice system (Education Development Center, 2012). Students were suspended and expelled for minor infractions (e.g., yelling, fighting, swearing, etc.), and minority students were disproportionately impacted (Education Development Center, 2012; Losen, 2013; Villarruel & Dunbar, 2006). The practices resulting from zero tolerance policies do not align with current research suggesting that school involvement is a protective factor against juvenile delinquency (Fabelo, Thompson, Plotkin, Carmichael, Marchbanks, & Booth, 2011), suspension and expulsion can lead to juvenile delinquency (Insley, 2001), and early introduction to the juvenile justice system can increase the likelihood of later juvenile justice system involvement (Hanson, 2005). The combination of enacting zero tolerance policies and criminalizing minor infractions has led to the “school-to prison pipeline,” or as it is increasingly and more accurately described, “school pathways to the juvenile justice system.” The notion behind these labels is that implementing such strict and inflexible policies has not led to safer schools, but instead led to the funneling of youth into the juvenile justice system.

Zero tolerance policies contribute to higher drop-out rates, lower graduation rates, increased contact with the juvenile justice system, lower statewide test score outcomes, and lower ratings of the school environment (APA Zero Tolerance Task Force, 2008; Bickel & Qualls, 1980; Council of State Governments Justice Center, 2011; Davis & Jordan, 1994; Skiba, 2013). However, collaboration between the juvenile justice system, school administration, law enforcement, and community stakeholders can provide a platform for policy change. In fact, collaborative approaches in Georgia, Alabama, Kansas, and Connecticut have already proven to be effective in reducing suspensions and expulsions, school arrests and referrals to the juvenile justice system, and incidents of serious

weapons on school property, while increasing graduation rates (Bracey, Geib, Plant, O’Leary, Anderson, Herscovitch, O’Connell, & Vanderploeg, 2013; Teske, Huff, & Graves, 2013). These collaborative initiatives – often led by judicial officers – are the foundation of the current approach to combat the adverse effects of zero tolerance policies and empower schools to handle behavior issues justly, fairly, and in school. This toolkit presents one such approach.

## SCOPE OF THE PROBLEM

Since the 1980s and 1990s, Americans have been led to believe that school violence is more prevalent than it actually is (Skiba & Peterson, 2000). Many schools have adopted “zero tolerance” policies (a nod to the zero tolerance approach developed from the nationally declared war on drugs), which require mandatory consequences, often suspensions and expulsions, for certain infractions despite the actual severity or threat to safety of the behavior (APA Zero Tolerance Task Force, 2008). Zero tolerance policies in schools were given federal support when the Federal Gun-Free Schools Act was passed by the Clinton Administration in 1994 (Skiba, 2013). Although this Act only applied to firearm violations with a subsequent mandatory one-year expulsion, it provided an implicit message that zero tolerance was a national policy (Stader, 2004). Schools thus began to adopt zero tolerance policies for firearm and weapons violations and drug offenses, as well as for fighting, bullying, and other disruptive behaviors (Kaufman, Chen, Choy, Peter, Ruddy, Miller, Fleury, Chandler, Planty, & Rand, 2001). The implementation of such policies suggested that schools would become safer and the needs of all students would be better served.

However, not only is the anticipated increase in school safety questionable, but these policies have had the unintended effect of unnecessarily introducing many low-risk youth to the juvenile justice system. For instance, students have been arrested or handcuffed in school for doodling on desks, flatulating, turning off computers, and stealing chicken nuggets (see Aull, IV, 2012). In Denver, referrals to the juvenile justice system increased by more than 70% due to zero tolerance policies (Advancement Project, 2005). As a result, juvenile justice courts are seeing more cases that would have otherwise been handled in school and not considered dangerous or threatening, but zero tolerance policies mandated law enforcement or court involvement (APA Zero Tolerance Task Force, 2008; Casella, 2003). Zero tolerance and similar mandatory consequences policies also remove students from the education system, thus threatening the buffering effects that school involvement has on delinquency (Fabelo, et al., 2011; Insley, 2001). For instance, zero tolerance policies resulted in students being suspended or expelled for having a butter knife packed by a parent, bringing scissors to a fourth grade class, having Motrin, and sharing cold medicine with a cousin (see Stader, 2006). A study in Texas found that more than 50% of students grades 7-12 have been suspended, and these students were more likely to either drop out or repeat a grade than students who were punished differently (Council of State Governments Justice Center, 2011). School suspensions and expulsions are also disproportionately represented in minority and special education populations (Education Development Center, 2012; Richart, Brooks, & Soler, 2003; Villarruel & Dunbar, 2006). Lastly, zero tolerance policies put an undue pressure on school teachers (Fries & DeMitchell, 2007), whereby teachers often struggle when deciding what to report and what not to report given the tension between school policy and awareness of the negative outcomes for students.

## DESCRIPTION OF THE GUIDE

This practice guide is intended to provide the Multi-System Collaborative in each of 16 demonstration sites with thorough and thoughtful guidance on implementing judicially led collaborations to address “school pathways to the juvenile justice system.” The structure, directions, and recommendations



throughout the guide are the product of several months of consultation and collaboration with juvenile and family court judges and other juvenile justice and school system experts. The processes described emulate those of successful collaboratives in jurisdictions across the country, including Georgia, Connecticut, and California.

This guide begins by describing the role and expectations for the judge as a convener in this initiative who gathers key players from the juvenile justice system, school administration, law enforcement, and community stakeholders. It offers strategies for the judge to encourage shared leadership and shared power and to overcome barriers to a collaborative group. The guide then describes activities related to a seven step strategic planning process in which Multi-System Collaborative assembles stakeholders, develops a shared vision, understands the issue, sets measureable goals and objectives, identifies activities, creates an action plan, and develops a plan for monitoring progress. The guide also offers assistance for successfully promoting the efforts through the media. Finally, the guide concludes with tips to set the stage for sustaining the work and ensuring that the policies and procedures enacted as part of the initiative continue to benefit students.

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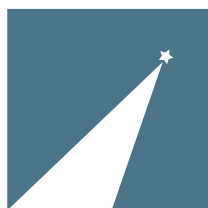
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## JUDICIAL LEADERSHIP: THE JUDGE AS THE CONVENER

As civic leaders, judges have a distinct responsibility to bring together community stakeholders to address issues that impact the community, the court, and the youth and families they serve. Judges are in the ideal position to convene stakeholders across systems and community partners to collaboratively plan and implement strategies to address school pathways to the juvenile justice system. Two Key Principles of a juvenile delinquency court of excellence support the judge's role as the convener in this effort (National Council of Juvenile and Family Court Judges, 2005):

*From the "Juvenile Delinquency Guidelines: Improving Court Practice in Juvenile Delinquency Cases":*

**KEY PRINCIPLE:** Juvenile delinquency court judges should engage in judicial leadership and encourage system collaboration. The juvenile delinquency court judge should regularly convene system stakeholders and the community to promote mutual respect and understanding within the juvenile delinquency court system, and to work together to improve the system.

**KEY PRINCIPLE:** The juvenile delinquency court should engage the school and other community support systems as stakeholders in each individual youth's case. The juvenile delinquency court enhances a youth's chance for success by working with school systems and other community support systems. The need to address a youth's educational functioning cannot be overemphasized, as education is a critical factor in every youth's potential success.

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Despite these recommendations, judges may still be hesitant to enact their leadership role outside of the courtroom. Some may even fear state statutes that prohibit such behavior. Judges Steven C. Teske and J. Brian Huff (Winter 2011) write, "Judges often express legitimate concerns when asked about exercising a role off the bench. Obviously, judges must refer to their state's judicial ethics rules for guidance. Most states, however, do not prohibit judges from engaging the community if it will promote a better juvenile justice system."

Teske and Huff also propose that:

Judicial leadership is the key within a juvenile justice system because the juvenile court is the common denominator of all child service agencies. The intersection of juvenile justice is the juvenile court, and the juvenile judge is the traffic cop. Of all stakeholders, juvenile judges possess the greatest influence, and it is hurtful to children in a disconnected system when judges fail to use that influence to connect the independent silos.



## THE JUDGE'S ROLE IN THE MULTI-SYSTEM COLLABORATIVE

The Judge's initial role in the Multi-System Collaborative is as the convener of the meeting to invite the key decision makers and stakeholders to come together to discuss the issues with school referrals in their jurisdictions. Once the key stakeholders and decision makers are brought together, the judge's role will change to one of an equal participant in the process. There should a neutral moderator for the meeting, and for this demonstration project, NCJFCJ will provide neutral meeting facilitators for each site. As an equal participant in the process, judicial leaders are still able to promote alternatives to the traditional way of addressing school referrals and to work as part of a team to hold others accountable for failures in the system. Judges are able to utilize their experience on and off the bench to persuade others to select solutions that will divert youth from the juvenile justice system.

Judges have the positional power to bring stakeholders to the table and lead the change effort. When a judge invites individuals to the collaborative table, they will come.

### Objectives of the Lead Judges:

- Use their positional power and authority to bring legitimacy to the change process and “get things done;”
- Think big, always bringing new ideas to the table and encouraging creativity in others;
- Bring multiple stakeholders from different parts of the system to the table to co-create the vision and engage in the process of change;
- Create a collaborative environment that encourages open communication and dialogue throughout the system, the sharing of ideas, and creative problem-solving; and
- Marshal resources to put the vision into action.

Effective leaders communicate the purpose of the change efforts. That is, they communicate the “overarching explanation of why they do what they do, how their organization needs to evolve, and how that evolution is part of something larger” (Senge, 1990). These “purpose stories” provide a single set of integrating ideas, or a guiding framework, which gives meaning to all aspects of the leader's work and the systems change effort. Leaders are stewards of the vision. Stewardship

Shared leadership is necessary for guiding change, overcoming resistance, and mobilizing partners, while, at the same time, building competence and self-reliance in others.

involves a commitment to, and responsibility for, the vision, but it does not mean that the leader owns the vision. As stewards of the vision, leaders must manage the vision for the benefit of others. Leaders have to learn to listen to other people's vision and to change their own where necessary.

Telling the “purpose story” in this way allows others to be involved and to help develop a vision that is both individual and shared. A “purpose story” might be the story of a child or a family that is touching, or challenging, or even shaming. A number of judicial leaders speak passionately about the case of a particular child on their docket who touched their hearts – maybe because of the challenges faced and overcome by that child, or maybe because the system, and the judge, let that child down. A “purpose story” might be a story of system success that reflects the court's vision, or it might be a story of system failure, that reflects what is wrong with the system. Whatever a personal “purpose story” is, it is the story that guides, motivates, and infuses reform efforts with meaning. It is the story judges tell to others to inspire and motivate them; it is the story judges tell to keep the focus on children and families and to engage the heart.

Although judicial leadership is critically important to the change process, it is not enough. Meaningful and sustainable systems change can only occur through concerted, collaborative efforts on the part of all system professionals. Ideally, judicial leaders should draw on existing leaders throughout the system while creating conditions that allow others to see their own roles in leadership. Creating an environment of shared leadership and collective visioning facilitates a more open exchange of information, better relationships among system participants, and a stronger commitment to a common vision.

When shared leadership occurs, people approach problems in collaborative ways, engage each other in defining the work to be done, and are able to facilitate interaction and sustain action so that goals can be realized. People come to focus on the work itself rather than on the person who has the authority to do it.

Sharing leadership means being mutually responsible for the process of change. Sharing power means being mutually responsible for the effect of the change. It is important to recognize, however, that sharing leadership and sharing power does not necessarily carry with it shared decision-making authority.

In sharing the leadership role and jointly guiding and supporting systems reform, neither the judge nor the directors of the other system agencies relinquish their individual power or the independent roles of their organizations.

#### **Strategies to Encourage Shared Leadership and Shared Power:**

- Co-create and share a vision for reform
- Share relevant information, knowing what is relevant may involve educating people so that they are able to comprehend the information
- Share credit
- Share blame
- Reward and recognize honesty and openness
- Be a role model and mentor
- Promote and reward partnering, particularly across functions and at all levels of the collaboration
- Hold dialogues focused on people's perceptions of their relationships
- Commit to get to know people behind the mask of their job title, role, or function

#### **Strategies Leaders can use to Overcome Politics and Conflict:**

- Ensure that different perspectives are included in the collaborative group – especially those that have been identified as leading to resistance to change or other potential stumbling blocks to change efforts – do not leave someone out of the collaborative group because they are “hopeless” or “difficult”
- Prepare for conflict – do not speak or act out of frustration or anger; allow yourself time to “cool off” when tempers flare; lead by example – how you handle the politics should be the way you would want others to behave
- Clarify problems – when you sit down to discuss differences, ask questions and be genuinely interested in other perspectives; do not assume that you know where others stand; ask “What do you see as the problem?”; Listen and then paraphrase other viewpoints – while you may

never agree, this will demonstrate that you are trying to understand and will build trust

- Seek areas of agreement – identify all those areas, no matter how small, that you agree on; in a “disagree column” record only the main issues which will make the areas of disagreement look smaller; reinforce agreement about the common vision (i.e., better outcomes for children and families); make peace by stressing common vision and goals despite apparent differences
- Take responsibility for how you might have contributed to the problem; taking responsibility often means allowing honesty to come to the surface – honesty is best for getting to the real difficulties and moving into problem-solving
- Keep the group focused on results – when conflict arises ask “So, what can we do to resolve this situation?”; encourage brainstorming to generate solutions

Judges Teske and Huff (2010) note:

In addition to deciding cases fairly, we as juvenile court judges must play an active role in bringing together the multiple child service agencies in our communities to ensure that our collective efforts are producing the best outcomes for youth, families, and communities. Put another way, judicial leadership both from the bench and off the bench is the key to good practice. We have coined this “The Dichotomy of Judicial Leadership”, meaning that we should endeavor to be judges from the bench, but off the bench we should advocate for collaboration. As pointed out by former National Council of Juvenile and Family Court Judges President Leonard P. Edwards, “This may be the most untraditional role for the juvenile court judge, but it may be the most important.”

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# THE STRATEGIC PLANNING PROCESS

An essential component of any successful change effort is a clearly defined and focused direction. Strategic planning is an effective method for a collaborative to document its intended direction by systematically deciding on shared goals and markers of success. This guide presents a seven step process for the strategic planning efforts of the Multi-System Collaborative: assemble stakeholders, develop a shared vision, understand the issue, set measurable goals and objectives, identify activities, create an action plan, and develop a plan for monitoring progress. The description of each step includes guiding questions, rationales, and examples to aid the Multi-System Collaborative in making thorough yet focused progress through the strategic planning process.

## STEP ONE: ASSEMBLE STAKEHOLDERS

As the convener, the judge's first task is to identify internal and external stakeholders from different systems to create the Multi-System Collaborative. The goal is to cultivate a collaborative approach by selecting a cross-section of key players and decision-makers who will mutually benefit from addressing school pathways to the juvenile justice system and who are empowered to support and implement new policies. An important aspect of creating a collaborative atmosphere is to identify organizational hardships that may occur when solving the issue and find ways to creatively alleviate those hardships. The Multi-System Collaborative should focus on four characteristics to ensure that a strong collaborative process is built: stakeholder identification, individual team member empowerment, building bridges across agencies, and synergy.

**GUIDING QUESTION:** How do we identify the needed stakeholders?

### **COLLABORATION IS KEY**

- Engage stakeholders who are the decision makers for their agency/organization. System change requires the support of the top level of operational management. Determining who has the authority to implement change before the planning process begins aids in building a productive and effective team. Meet individually and in person with each of the possible stakeholders to adequately convey the importance of the invitation to participate/serve on the Multi-System Collaborative. Be prepared with a one-page executive summary outlining the problem in the jurisdiction. If possible, include information on:
  - number of youth referred to court from student resource officers or the school system;
  - number of youth in detention facilities as a result of these referrals;

- number of youth who come before the court as a result of these referrals and their offenses;
- graduation rates;
- related research regarding school push-out.
- Frame the problem in the least threatening context, without laying blame on any one agency or component of the issue. For example, it is helpful to emphasize, “This is a community-wide issue that has to be addressed proactively and collaboratively.”

Identify a neutral facilitator who has experience with complex, Multi-System stakeholder committees. Multi-Systemwide members may have conflicting agendas. Tap into national non-profit training and technical assistance organizations, local expert mediator groups, local judicial educators, local university professors, or the State Advisory Group Multi-System members for assistance with identifying a neutral facilitator. For the purposes of this demonstration project, NCJFCJ will provide each site with a neutral facilitator.

**GUIDING QUESTION: How do we build bridges across agencies?**

Each community has its own culture and structure; so, it is likely that key stakeholders will vary between communities. It is the judge’s responsibility to identify the stakeholders that are the most empowered locally. The table below lists of several “Core Stakeholders;” these are the positions and roles that are anticipated to be central to collaborative efforts in most jurisdictions. The table also identifies “Additional Stakeholders,” or agencies and organizations whose roles may vary from jurisdiction to jurisdiction. It is vital for the convener (the judge) to select key players to participate in the process and to promote change. Because each agency or organization that may be identified to participate in the collaborative has its own mission and priorities, the table below also offers suggestions on how the judge can make connections between the stakeholders’ goals and the purpose for the Multi-System Collaborative.

**GUIDING QUESTION: How do we create synergy and empower individual stakeholders?**

CORE STAKEHOLDERS	MAKING CONNECTIONS
<p><b>District Attorney’s Office</b> – Often considered the “gate keeper” on many problem-solving court teams, the DA’s office is an important and valuable team member, allowing for many of the MOUs and processes to be approved and ultimately implemented at the operational level.</p>	<p>Community safety may be the DA’s main priority. They will likely want to establish concrete eligibility and exclusion criteria. In some cases, the DA will be an elected official, who has to answer to the public for the decisions of the Multi-System Collaborative. It will be important to emphasize that the Multi-System Collaborative will focus on consensus building and that nothing will be unilaterally done.</p>



CORE STAKEHOLDERS	MAKING CONNECTIONS
<p><b>Law Enforcement Agency and School Resource Officers</b> – School resource officers (SROs) are actively involved with students and school administration within local schools and understand the level of need within each particular school environment. In addition, local law enforcement may have an intimate knowledge of what is happening outside of school grounds during school hours (i.e., truant youth, shoplifting, vandalism) and may offer alternatives to detention during this process.</p>	<p>Law enforcement and SROs may feel threatened during this process, as the impression may be given that if they would just stop arresting youth, the problem would go away. Of course, it is not that simple. These officers can be seen as allies on all sides, by the school, by the court, and by the students, if a sense of collaboration and trust is built into the process. Alternatives to zero tolerance policies will allow non-violent behaviors to be addressed without officer involvement, providing law enforcement and SROs more time to focus on violent offenses.</p>
<p><b>Probation Department</b> – Probation officers are often the first juvenile justice professional to screen a youth upon intake. It will be important to create a process for the probation or intake officers to identify youth referred from the school.</p>	<p>Probation departments often struggle with large caseloads and managing meager resources to address juvenile offenders in the community. By addressing school pathways to the juvenile justice system, fewer low-risk youth will enter the system, freeing valuable time and resources for probation officers.</p>
<p><b>Public Defender’s Office</b> – Public defenders are a natural and important ally in this process, as they have their client’s best interest at heart. In addition, PD’s are often aware of the issues or challenges that permeate an existing local legal culture (i.e., more or less punitive in nature).</p>	<p>Implementing policies that divert school-based behaviors from coming to the attention of the juvenile court will benefit PDs not only by way of decreased caseload, but also because the practice directly aligns with the PD’s mission to protect the rights of the accused.</p>
<p><b>School Superintendent</b> – School system engagement is the most important piece of the collaboration. The school environment is where most of the targeted behaviors and referrals occur, and the school administration oversees most of the discipline policies that contribute to school pathways to the juvenile justice system. Additionally, given that school connectedness is a protective factor for youth, a goal of the Multi-System Collaborative is to preserve that connection.</p>	<p>Again, it is important to frame the issue in a non-blaming way for the school superintendent. The school system may feel that their policies are being judged or that their authority is being challenged. Emphasize that the problem impacts the entire community, and that a collaborative effort is required to address it. Acknowledge that both the schools and the juvenile courts want to see the best possible outcomes for youth, and affirm that a strong partnership between the two systems is the only way to ensure that this initiative is successful.</p>

## **ROLES, RESPONSIBILITY, AND RESPECT**

Sharing responsibility for a problem or issue is not easy. It can be especially difficult when working with multiple systems that each have their own standard operating procedures, policies and regulations, and desired outcomes. However, for system change to occur and be sustained, cross-system collaboration is crucial. To lay the foundation for successful cross-system collaboration, it is important that all stakeholders understand how each system operates, their strengths, and their limitations. Moving forward without this understanding can set the stage for defensiveness and mistrust and severely limit or slow down progress. It is important that each Multi-System Collaborative member has an active voice in addressing the development, process, and problem-solving strategies necessary. Those who are excluded or who feel powerless in the process may withdraw their expertise or may actively sabotage the existing process. As the Multi-System Collaborative begins to build cross-system collaboration, it may also be helpful to share past experiences of systems working together, describe successes and barriers, and identify lessons learned that can be applied in this effort.

Success of the Multi-System Collaborative is reliant on clearly defining the roles of the stakeholders. It is important to allow members of the Multi-System Collaborative to define their in-group and out-group role (i.e., individual roles, responsibilities, and functions while serving on the Multi-System Collaborative and while within their home agency/organization) during the planning phases. Members should share their out-group roles, and the Multi-System Collaborative should agree on in-group roles early in the process. When expectations are defined, it is easier to assign tasks, reach benchmarks, and codify the mission and goals of the Multi-System Collaborative.

## **STEP TWO: DEVELOP A SHARED VISION**

### **GUIDING QUESTION: What is the purpose and vision of the Multi-System Collaborative?**

A clear vision is the driving force behind progress. As one of the initial steps in the strategic planning process, the Multi-System Collaborative should articulate a statement that represents the consensus thinking of the group. The Multi-System Collaborative's shared vision will need to encompass the many agendas, values, and processes of its participants. The neutral facilitator and the judge should work together to develop a shared vision among the members. One way to accomplish this is to have the members share their own individual vision - why they are willing to do the hard work, commit extra time, and perhaps collaborate where they haven't before. The facilitator can guide the group through the following exercise on the first day of the strategic planning meeting to assist in creating a shared vision for the Multi-System Collaborative:

### **THIS I BELIEVE EXERCISE**

On National Public Radio (NPR) there is a series called This I Believe. The premise of this series is that learning, hearing, and sharing diverse beliefs and backgrounds can create a connection between diverse populations or groups and ultimately affect change. Because the members of the Multi-System Collaborative come from different agencies and/or backgrounds, it is important to hear individual beliefs that motivate their desire to work on this issue.

Activity: Listed are several essays, aired on NPR, which will work well for this particular group. Choose an essay to share and then follow the steps below:

- *Standing Up for Our Children*, by Delaine Eastin - Davis, California at <http://thisibelieve.org/essay/140078/>
- *A Shared Moment of Trust*, by Warren Christopher - Los Angeles, California at <http://>

[thisibelieve.org/essay/6894/](http://thisibelieve.org/essay/6894/)

- *We're All Different in Our Own Ways*, by Joshua Yuchasz - Milford, Michigan at <http://thisibelieve.org/essay/14338/>
  1. Introduce the activity and essay by using some of the language above describing the NPR series. If possible, add a personal story about an experience where a diverse group of people successfully came together to address system change.
  2. Ask the Multi-System Collaborative members to create their own "This I Believe" statement centered on their views, vision, or expectations for working as a systems change-agent on the issue of school pathways to the juvenile justice system. Instruct them to keep their agencies' agendas, goals, and values in mind while writing.
    - This doesn't have to be very long - one to five sentences is sufficient.
  3. Create your own "This I Believe" statement regarding your involvement with the Multi-System Collaborative, and write it on a flip chart, board, or in a PowerPoint presentation. Share your statement with the group, and then ask each person to introduce themselves and read their statement aloud to the group.
  4. Jot down significant words or phrases as each person shares. Some common themes might be: helping youth stay connected to school, keeping youth engaged in their communities, or decreasing further penetration into the juvenile justice system.
  5. After each person has had an opportunity to speak, discuss commonalities in the statements. The group may be surprised at how similar their statements were. Discuss the importance of working together to address this community-wide issue. Point out that at a fundamental level, the group shares the same common goal.
  6. Write each statement on large pieces of paper and hang them around the room as an active reminder of the group's shared vision.

With assistance from the facilitator, use the commonalities identified in the statements to start building a shared vision and purpose statement for the Multi-System Collaborative. Encourage openness and acceptance as members offer suggestions and provide feedback until there is a group consensus on a shared vision and purpose statement. Remember, this statement does not have to be long or all encompassing. It can be as brief as, "Keep kids in school and out of court," or it can include specific details of the issue in the targeted school or jurisdiction. When consensus on a statement is reached, document the statement and refer to it during all future meetings of the Multi-System Collaborative. The statement will serve as an anchor to maintain the focus of the group's work on the shared vision.

## STEP THREE: UNDERSTAND THE ISSUE

### **GUIDING QUESTION: Where are we now?**

After the Multi-System Collaborative has decided on a shared vision, it is important to have a complete and data-informed understanding of the nature and extent of the issue of "school pathways to the juvenile justice system" in the jurisdiction. This step is akin to a "snapshot" of current practices and performance that not only informs the jurisdiction as to what they hope to change and to what extent, but also serves as a baseline against which the jurisdiction will determine progress over time.

Each member of the team will likely have a different perspective on the responsibilities of the juvenile court and of the school as well as the challenges facing each system. Before change can occur, it is

important that the Multi-System Collaborative has a shared understanding of the current processes, policies, and practices in place for the entities involved. That way, all members of the collaborative start from a common point of reference and are better able to reliably identify opportunities for improvement. This can be achieved by examining the points in time where the school system and the juvenile court intersect and reviewing existing policies, procedures, and available data sources.

Guiding question: Where are the jurisdiction's pressure points?

The juvenile justice system is not just one self-contained system, but rather an interaction between multiple entities that creates a complex system with multiple points of entry but no clear exit (Teske & Huff, 2010). Before the Multi-System Collaborative can address the flow of youth from school to the juvenile court, it is important to identify the jurisdiction's pressure points, points where the school system intersects with the juvenile court. These pressure points will be different for every jurisdiction, however, some common pressure points include: school referrals to court for truancy issues; out of school suspensions; probation violations for school infractions; school referrals to court for behaviors stemming from a mental health or learning concern; youth returning to school from court ordered placement; and zero tolerance policies. Acknowledging the pressure points that exist in the jurisdiction places the issue in context and provides a helpful foundation for understanding the scope of the issue.

**GUIDING QUESTION: What are the existing available data sources?**

One valuable way to describe the issue of school pathways to the juvenile justice system is for the members of the Multi-System Collaborative to identify and share local sources of data such as annual reports, monthly progress reports, or quality control reports. This type of information will not only help the Multi-System Collaborative to understand the scale of the issue in their jurisdiction, but it will also help the team to piece the pressure points together and begin to identify areas where intervention may be needed.

Each organization represented in the Multi-System Collaborative may bring a different type, amount, or level of sophistication of data to the table. Because the information from each stakeholder will have been designed for a specific purpose, it is important that the Multi-System Collaborative is educated on the definitions of the key data elements and the original intention for the data to be collected. For example, it's possible that a community provider with a program that targets truant youth may have a different definition of truancy than the school district, and that the school district's definition of when a juvenile is considered truant may differ from the court's. Clarifying terms and concepts described by the data provided is crucial.

Sometimes a system's lack of data is just as telling as the availability of data. The absence of information demonstrates that the stakeholder may not currently have the capacity to collect and aggregate desired information. This may initially impact a stakeholder's ability to describe the issues objectively, as they may be relying only on anecdotal information. It may also pinpoint areas

**Developing a shared language**

Initial discussions among members of the Multi-System Collaborative about their perspectives and experiences with the issues may uncover differences in uses of terminology. It is vital for the Multi-System Collaborative to agree on clear definitions of terms and concepts such as:

- Academic achievement
- Attendance
- Diversion
- Incident
- Status offense
- Recidivism
- Referral

These terms, and possibly others identified by the Multi-System Collaborative, will be used often when describing this issue, so it is very important that all members of the Multi-System Collaborative speak a common language.

### **The role of data**

When systems collaborate, multiple information sources become available. This information has many, and sometimes overlapping, purposes; it can help to diagnose an issue, make individual-level decisions, measure performance on activities, or evaluate the impact of a program or initiative. Teams targeting the school pathways to the juvenile justice system should take inventory of the data available from various sources early and plan to use existing and newly collected data often and in multiple ways.

where communication among systems or small data collection improvements could advance data availability and therefore provide the opportunity for a more detailed picture of the issue.

Juvenile courts routinely collect information for organizing dockets, measuring case flow and related processes, and evaluating the extent to which the court's mission is being actualized. Juvenile courts can look to their court information system for numbers and types of cases relevant to this issue. One example of a key data indicator would be the number of referrals to court by school personnel or the number of referrals to court for incidents that occur in the school. This type of information would be useful for the Multi-System Collaborative to review by demographics (e.g., gender, age, race/ethnicity), offense type (e.g., status offense, property offense, person offense), and case outcome (e.g., petitioned, disposed). Often this information is not reliably tracked in

a court's information system, either because there is not an existing field or the referral source is an intermediate between the school and court (e.g., law enforcement). Even so, it is helpful in defining potential pressure points and areas in need of intervention. The court may also share information with the Multi-System Collaborative related to the time and resources devoted to processing cases referred by the school stemming from school incidents, or low-risk youth. This type of information defines the issue as not only a court problem or a school problem, but as a community resource and taxpayer issue.

Schools, by their very nature, have a wide range of quantitative data available -- much of which serves to elaborate the description of the issue. Information already collected for local, state, or federal requirements, such as school enrollment, graduation rate, average daily attendance, or standardized test scores, may give a glimpse into the overall school culture. Keep in mind, though, that the specific procedures in place to collect the information may limit the timing of collection or pool of youth included in the measure. For example, if a school counts attendance by who is present in first period, youth who leave the building after third period may not be counted as absent.

Another helpful piece of information for the school(s) to bring to the table is the number of referrals made to the juvenile court or to law enforcement by age, gender, race, ethnicity, grade, and type of incident. These are pieces of school functioning that may not be readily captured in a standard data collection process. They may be tracked in an individual student's file or even in another agency's data (e.g., the local police station). Similarly, information like the number of expulsions or suspensions and Student Assistance Program (SAP) referrals may be tracked on a student by student basis, but not aggregated. When this type of information is looked at across a group of students, it is especially helpful in understanding the scope of the issue of students being sent out of the school. Part of the initial meeting of stakeholders should be not only reviewing the information that is available, but also identifying the information that would be helpful, but is not yet readily available.

### **Data points from juvenile court**

- Referrals to court by referral source, gender, age, race/ethnicity
- Referrals to court by offense
- Referrals to court by case outcome
- Referrals to court by risk level



### **Data points from school**

- School enrollment, graduation rates, and drop-out rates by demographics
- Standardized test scores
- Average daily attendance and number of students considered truant
- Expulsion and suspensions by type of incident
- Referrals made to juvenile court or law enforcement by demographics and type of incident
- Perceptions of school climate and school safety

Other stakeholders on the Multi-System Collaborative may also have valuable information ready to share that contributes to the greater understanding of how youth in the community are impacted by existing pressure points. Local law enforcement may have an established mechanism for counting the number of referrals received from school personnel or arrests of school-aged youth or on school property. In many instances, information from law enforcement can serve to expand or clarify the information available from the school on referrals to court. Other community indicators, such as the amount and type of support services available locally to youth and their families, can help both to refine the description of what is currently being done to address the issue as well as to identify possible resources to mediate the issue.

### **GUIDING QUESTION: What are existing processes and procedures?**

Understanding the problem requires understanding the current practice. While practice in reality might deviate from the developed protocol, it is important to identify what statutes, policies, protocols, and rules are in place. Some statutes and zero tolerance policies inhibit diversion or graduated sanctions for school arrests, certain crimes, or status offenses. Understanding current practice through the statutory and policy framework also helps lay the foundation for identifying systemic gaps within and across systems. In particular, areas of disconnect between current policy and actual practice are often indicative of opportunities ripe for intervention.

The Multi-System Collaborative should conduct a statutory analysis related to school arrests and status offenses in order to understand what the laws require the juvenile court, schools, and the law enforcement to do. The team should consider analyzing the laws related to status offenses, truancy, loitering, and other non-violent behaviors to understand the legal framework and identify potential policies that may contribute to the issue. The Multi-System Collaborative should also gather existing case processing flowcharts and protocols, diversion protocols, and court rules to identify current practice of juvenile court to assess systemic gaps within the case processing policies and protocols. Identifying available resources within the juvenile justice system, such as diversion programs, will help coordinate existing resources as well as identify gaps in resources.

As with the juvenile court, the school system should conduct analyses of its code of discipline/conduct, attendance policies, truancy policy and protocol including court referral, and diversion policies and protocols that identify alternatives to referral. Analysis of the policies and protocols will identify potential systemic issues of school discipline. In addition, understanding the role of SROs and when and in what situations they intervene is important to define current school practice related to court referrals.

### **Data points from the community**

- Local law enforcement reports on referrals from school personnel
- Local law enforcement reports on arrests of school-aged youth or on school property
- Amount and type of family and youth mental health support, after-school activities, mentoring opportunities, and other support services by location

Analyzing current practice, policies, and protocols of law enforcement provides a better picture of problems related to school pathways to juvenile justice. Understanding how law enforcement intersect with schools, SROs, and the juvenile justice system will help identify gaps and promising practices to keep youth out of court. In addition, understanding protocols, processes, and practices of law enforcement when youth are picked up by an officer off-site during school hours is important because it directly impacts the court as well as the school. It is critical to understand what laws, policies, and protocols are in place to understand fully the intersection of law enforcement with schools and juvenile courts. It is also helpful to learn what screening and diversion alternatives law enforcement has in place to keep low-risk youth from becoming court-involved.

#### **Additional considerations**

In addition to reviewing quantitative and qualitative data to develop a clear understanding of the problem, the Multi-System Collaborative should consider recent or past events that might have led to the increase in school arrests and status offenses. The Multi-System Collaborative should consider questions like:

- Were there any changes in community leadership that might have moved the practice from diversion to court-referral?
- Were there any events/incidents that made the school and the community hyper vigilant?
- What are the barriers, limitations, and challenges the community and schools are facing today?

## CONSIDERATIONS FOR DATA SHARING: FIVE MYTHS ABOUT CONFIDENTIALITY

When courts, schools, and community partners come together for a common cause, just as there is an agreement about the division of work and resources, there needs to also be a discrete agreement about the give and take of information. Often, organizations are apprehensive to enter into formal information sharing agreements due to misconceptions about the complexity of the process or concern for the security and privacy of their data. The following “*Five Myths about Confidentiality*” detail common beliefs that can create barriers to the exchanging of information.

**MYTH ONE: Courts don’t need to know what is happening in the school, and the school doesn’t need to know what is happening in court!**

**TRUTH:** Even though juvenile court and schools are separate entities both geographically and philosophically, their missions and the population they serve are similar. Both the court and schools focus on supporting youth to learn new skills and grow into successful, productive citizens. The exchange of information between juvenile court and schools can help both systems better serve youth and families. Furthermore, sharing information can prevent duplication of efforts. This natural partnership is difficult to see when there is confusion and lack of understanding about the roles, mission, and limitations of the other. It is useful at both the beginning of a collaborative effort and throughout to engage in cross-learning, clarifying the roles of each organization within the leadership group as well as within the community. This cross-learning builds understanding and trust that is the foundation of successful information sharing.

**MYTH TWO: Developing a formal information sharing agreement is too much of a hassle. We’ll have to call in the lawyers, and we don’t have the resources to support that work!**

**TRUTH:** Topics like confidentiality, privacy, and information sharing can be mysterious and anxiety producing for organizations, but they don’t have to be! One strategy for navigating the complexities is for the Multi-System Collaborative to appoint an “Information Manager” to help the agencies come to an agreement about what information they are able and willing to share. The Information Manager should be a neutral person who the Multi-System Collaborative holds in high esteem. The Information Manager can 1) facilitate information sharing discussions and exchanges between organizations; b) help organizations define their “need to know” and intended use for the information to be shared; and, c) draft information sharing interagency agreement or memorandum of understanding (MOU). This formal agreement should specify what information is to be shared, who will have access to it, the manner for obtaining the information, and the purpose and intended use for the information. There are several free resources and examples available to help organizations get started.

**MYTH THREE: The law tells me that I can’t share that information!**

**TRUTH:** Federal laws, such as the Health Insurance Portability and Accessibility Act (HIPAA) and the Federal Educational Rights and Privacy Act (FERPA), set standards for exchanging information, but should not be seen as prohibitive to the process. Instead, they should be seen as starting points for drafting MOUs that preserve the privacy and security of personal information. For example, FERPA outlines when, how, and in what context educators can share

information with juvenile justice agencies. State statutes related to the sharing of information vary greatly across the country. It's important that the Multi-System Collaborative is familiar with the requirements in their state for sharing personal information and records and that these requirements are addressed in their MOU.

**MYTH FOUR: Little Johnny told me that I could ask you for this information, so you have to give it to me!**

**TRUTH:** Part of the process for exchanging the information as outlined in the MOU should be obtaining the informed consent of the individual about whom information is being shared. Informed consent is a voluntary agreement that declares that the individual approves of the release of information for the specific reasons outlined in the agreement. This agreement is usually documented by a signature on a consent form by the individual, if they are over the age of majority, or by the parent or legal guardian if they are not. Refer to the state laws to determine the age at which an individual is able to provide informed consent.

**MYTH FIVE: Once the information is in my hands, I can do whatever I want with it.**

**TRUTH:** An information sharing agreement between two agencies will only work if trust is maintained. It's important that the agencies agree to use the shared information for the purposes outlined in the MOU and the signed information consent only. In almost all situations disclosure to third parties should be prohibited. Adhering to the parameters included in the MOU will strengthen trust between the entities and set the stage for continued information sharing.

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## STEP FOUR: SET MEASURABLE GOALS AND OBJECTIVES

### **GUIDING QUESTION: Where do we want to go?**

“The simpler, the better” is a good rule of thumb when it comes to measuring performance in applied settings such as juvenile and family courts. In crafting a plan to measure and assess performance, it is useful to reflect on the shared vision and to think in terms of goals, objectives, and performance measures.

A **goal** is a stepping stone leading to the realization of the collaborative’s shared vision. It is a clear and unambiguous statement about what the collaborative hopes to accomplish and is the unifying focal point for the effort.

An **objective** is a concrete indicator of progress towards goals. Objectives must relate logically to achieving the stated goal, and must be time bound and measurable. Often there are several objectives for any given goal. It is important these objectives be complementary yet distinct in their focus.

**Performance measures** reflect *actual* outcome. By definition, they are the “measurable” component of a well-crafted objective statement.

### **Example:**

**Vision** – Keep kids in school and out of court.

**Goal** – Make improvements to the current process for addressing truancy.

**Objective** – Reduce the number of truancy petitions per month by 90% by the close of the current calendar year.

**Performance Measure** – The number of school-initiated truancy petitions filed each month

### FAQS

#### **Why do performance measurement?**

In a field devoted to improving outcomes for children, families, victims, and communities, it is our obligation to make sure what we are doing actually helps. Further, in a world of fiscal accountability, it is critical for generating data to support ongoing funding for important and effective programs.

#### **How do you know if your goals, objectives, activities, performance measures, and activities “fit together” and will be helpful?**

The most straightforward answer is to examine them as a package and look for face validity. In other words, does everything have a logical connection? Does it make sense to you and your collaborative? Is it achievable? Is it meaningful to you and your collaborative/consumers? Is it simple? If so, you likely have constructed a good framework to monitor your performance in a meaningful context to assess the health of your court or program.

#### **What is a logic model?**

A logic model is usually a graphic representation of what you believe the relationships are between activities (or interventions) and outcomes. They can be very basic or very complex depending on the program. The simplest way to view logic models is as a “if – then” representation of how you envision your program to work.



## STEP FIVE: IDENTIFY ACTIVITIES

### **GUIDING QUESTION: How are we going to get there?**

Activities are what you are going to do to achieve your objectives. They are highly concrete and should be crafted to identify easily who is responsible for what by when (see action plan, below). By definition, activities must relate directly to any given objective and must be achievable given resources and any political considerations. Sample questions to guide generation of a list of potential activities might include:

- What strategies can the school employ to address disruptive students without involving juvenile court?
  - Implement behavioral contracting in conjunction with parents or guardians.
- How and when should police or school resource officers intervene with disruptive students?
  - Train local law enforcement, SROs, or identified school staff on developmentally appropriate de-escalation techniques.
  - Implement policy police or school resource officers intervene only when there is an immediate threat of physical harm or as directed by the school principal or designee.
- In what ways can schools and allied systems identify underlying issues that might be contributing to disruptive behavior (e.g., history of trauma, homelessness, domestic violence, substance abuse, etc.)?
  - Train teachers on the fundamentals of trauma symptomatology.
  - Simplify the criteria and process for referral to school counselors for assessment.
- *Identify existing resources.* Courts, schools, community organizations, and other system-stakeholders working to reduce unnecessary student push out, and previously developed tools or resources might be easily adopted and adapted in order to reduce recreating the wheel.

## FAQS

### **How does performance measurement differ from evaluation?**

Evaluation deals with outcomes associated with an intervention. Evaluation of an intervention outcome can be done with a given population over time (within group design) or compare groups who do or do not receive an intervention (between group design). Performance measures are often variables of interest in designing an evaluation either as primary outcomes or as controls to ensure the individuals or groups being compared are substantially equivalent. The strongest quantitative evaluation designs use randomized control, but these designs are difficult to implement in field research and thus are relatively rare.

### **Can anyone do performance measurement?**

Yes. In a system committed to ongoing assessment and self-correction, everyone should be involved in performance measurement at some level.

### **Can anyone do evaluation?**

This is a more complex situation that often requires the assistance of a trained evaluator. If in doubt, consult with some experts in the field. Taking this extra step is well worth the time and helps avoid generating an evaluation that has little (or even worse) no reliability or validity.

### **For more information visit:**

<https://www.bja.gov/evaluation/>

- *Assess for feasibility.* System change tends to be most successful when it is driven at the level of the intended scope of the project and with subsequent “local” buy-in. In other words, when assessing for feasibility of goals, objectives, performance measures, and activities, it is helpful for the collaborative group to reflect on the degree to which (a) the plan has leaders with authority to act at the level of proposed impact, and (b) there is sufficient site level buy-in. During this reflection, it is important to assess critically what can and cannot actually be changed by the collaborative group. Once these questions are answered, it is then critical to spend time polling the group for consensus that the activities are reasonably resourced and can be accomplished.
- *Develop capacity.* With the group at consensus on the priority order of activities, strategic planning should turn to outlining critical supportive actions that will encourage capacity to move forward with the project as one and within a framework conducive to success. Oftentimes, these capacity building actions center on (a) identifying required training and who needs to be trained, and (b) any policies that need to be adjusted in light of the proposed goals, objectives, performance measures, and activities.

Once the collaborative group has generated a list of achievable activities, stakeholders should prioritize remaining activities as the next step to prepare for action planning.

**Example:** “To achieve our objective, we will (a) revise our internal policy regarding filing petitions on truancy at 5 days unexcused in a semester to 10 unexcused days in a semester; (b) initiate a mandatory referral to the school counselor at 3 days unexcused in a semester; and (c) train all SROs involved in truancy intervention on motivational interviewing.”

## STEP SIX: CREATE ACTION PLAN

### **GUIDING QUESTION: What are we going to do and when?**

In this step of strategic planning, the Multi-System Collaborative formalizes their work via an action plan. In action planning, activities (a) are broken down into actionable steps, (b) are given timeframes for completion of each step, and (c) clearly identify responsible parties for each step (either group or individual). Action plans might also describe any relevant performance measures and highlight any resources critical to achieving each step in an overall activity. Throughout this process, it is advisable for the group to ask itself continually if the plan requires any agreements to be put in place (and noted).

**Example:** “To train SROs on motivational interviewing, we will: (1) identify curriculum within 30 days (Chief SRO, Chief of Juvenile Probation, and School Counselor); (2) identify faculty within 45 days (Chief SRO and School Counselor); (3) schedule SRO training within 60 days (Principal and Chief SRO); (4) complete all SRO training within 180 days (Chief SRO); compile training evaluations and submit report to collaborative group within 210 days (Chief SRO and Chief of Research - School District).”

## STEP SEVEN: DEVELOP PLAN FOR UPDATES AND COURSE CORRECTION

### **GUIDING QUESTION: How are we doing?**

Progress is not only measured by changes in long-term outcomes; it can also be measured in objectives met or action steps completed. As the last step in an initial strategic planning session, the Multi-System Collaborative should consider a timeline and vehicle for reporting progress and monitoring the implementation of the action plan. Since mission creep is not uncommon in complex projects, these progress updates/meeting also can help keep the project focused sharply on the overall goal by asking, “Is what we are doing (a) what we planned to do, and (b) focused on reducing school pathways to the juvenile justice system in a defensible manner”?

When developing this plan, it’s important that the Multi-System Collaborative consider the following questions:

#### **1. WHO IS RESPONSIBLE FOR MONITORING PROGRESS?**

It is important for the Multi-System Collaborative to identify a specific person(s) to be responsible for monitoring the progress of each step of the action plan. The activities in the action plan will likely occur in different locations and under the supervision of different organizations, so the responsibilities for monitoring progress on the activities will likely be spread across the stakeholders. Clearly identifying a specific individual to be accountable for reporting progress on each action step will enhance to the likelihood that the activities will be completed within the established timeframe and aid in maintaining momentum in the initiative.

#### **2. HOW OFTEN WILL PROGRESS BE MONITORED?**

Each step on the action plan includes a timeframe for completion, and the Multi-System Collaborative should carefully decide on the appropriate amount of time between progress reports (e.g., weekly, biweekly, or monthly). Requiring progress reports too often may hinder the initiative by limiting the amount of time available to actually complete the action steps; while leaving too much time between updates may allow competing priorities to interfere with action plans.

### 3. HOW WILL IT BE SHARED WITH STAKEHOLDERS?

In order to keep the public informed and build support for the efforts, it's important to share progress on action plans with stakeholders and the community. The Multi-System Collaborative should have a carefully considered blueprint for a) who is responsible for sharing information; b) with whom will information be shared; c) what level of information will be shared; and d) when and how often will information be shared. Please see the section "Promoting Reform Efforts" on page 30 for more details on working with the media to share information on progress.

**Example:** "The collaborative group will meet the second Tuesday of every month of the project period to review and update the action plan, review performance measures and progress toward objectives, problem-solve any unanticipated barriers to implementation, and assess overall project fidelity. The meeting will be held at the School District Headquarters, and any major changes to the agreed upon action plan must be by consensus."

#### **GUIDING QUESTION: How will we measure progress?**

Once the action plan is in motion, the Multi-System Collaborative may feel like the hard work is done. It is only beginning! The Multi-System Collaborative needs to commit to tracking the performance measures identified during Step Four of the Strategic Planning Process (see page 24) to determine if the activities bring about the expected results. Monitoring progress regularly also will help to identify parts of the action plan that aren't working as imagined and guide the Multi-System Collaborative in adapting the action plan and correcting the course. Because the information collected through performance measures will be used to make decisions about the initiative, it is important to carefully plan for how it will be collected. The Multi-System Collaborative should consider the following questions when planning for data collection:

When it is obvious that the goals cannot be reached, don't adjust the goals, adjust the action steps.  
- Confucius

#### **1. WHO IS RESPONSIBLE FOR COLLECTING DATA?**

The Multi-System Collaborative should not set the action plan into motion without first clearly identifying who is responsible for tracking performance measures. If a specific person(s) is not identified as responsible for data collection, the Multi-System Collaborative might later find itself confronted with multiple, confusing data sources (e.g., each organization tracking the performance measure in its own way), or worse yet, no data at all. It is often clear from the performance measure which organization is best suited to take responsibility for measuring it, either because the organization already collects the information or because the event being measured occurs in the realm of the organization's everyday processes. For example, if the performance measure is "Number of school-initiated truancy petitions filed each month," it is up to the Multi-System Collaborative to determine, given current processes and procedures, who is in the best position to maintain an accurate account of truancy petitions filed each month. If all of the schools involved in the initiative have a central identified person responsible for filing petitions, it may make sense to have that person count the number of truancy petitions per month. On the other hand, if each school files petitions on its own through the court clerk, it may make more sense for the Juvenile Court, specifically the court clerk, to track truancy petitions that are school-initiated. It is up to the Multi-System Collaborative to determine not only the most important organization, but also the most important position in the organization, to charge with collecting data on performance measures.

#### **2. HOW OFTEN WILL IT BE COLLECTED AND REVIEWED?**

When reflecting on progress on an action plan, the question is simply, "How close are we to finishing this task?" On the other hand, performance measures are reflections of ongoing processes and answer the question, "How are we doing?" While it is expected that this question is asked repeatedly,

the amount of time between instances of asking it has more meaning. The frequency of reporting progress on performance measures should be based on (1) the amount of time it takes to implement the process being measured, (2) the amount of time it will reasonably take to see a difference, and (3) the amount of time it will take for data collection, entry, and analysis. Reporting on performance measures too often (e.g., daily or even weekly) might result in too small of a sample size and waste time and resources. Allowing too much time in between progress reports may conceal contextual factors that impact progress or mask indications that a change in course is needed. The Multi-System Collaborative should carefully and thoughtfully determine the best timeline for collecting data on performance measures and reviewing progress.

### **3. HOW WILL IT BE ANALYZED?**

Often progress measures can be reported as counts of outputs (e.g., “How many youth completed the program in the specified timeframe?”) or events (e.g., “How many court referrals for truancy this quarter?”). Other times, more sophisticated analysis may be necessary to reveal relationships between variables or patterns over time. Sometimes it makes sense to graph changes in rates, frequencies, or amounts over time on a line graph; other times that information will be best understood by calculating the mean, median, and/or mode of a group of observations. The kinds of analysis used to draw conclusions from the data depends on the amount and type of information (e.g., quantitative vs. qualitative) collected and the purposes for collecting it. Before data collection starts, it’s important to consider what are the most appropriate ways for organizing, analyzing, and displaying the information.

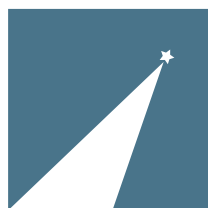
### **4. HOW WILL IT BE USED FOR IMPROVEMENT PLANNING?**

Most people are accustomed to collecting data or observations about a single student, case, or person and using that information to make decisions about how to proceed on a case-by-case basis. When looking at aggregate data, or data that is combined across of group of individuals, the information can be used to make decisions about the process or program being studied can adapt practices to increase functionality in the future. In order to do this, prior to data collection, it is important for the Multi-System Collaborative to identify and document expectations for performance (e.g., benchmarks). When data is analyzed and reviewed, actual performance can be compared to expected performance. When actual performance meets or exceeds expectations, the processes are functioning as intended; however, if actual performance falls below expectations, the Multi-System Collaborative should consider possible contributing factors for the sub-par performance and identify action steps to address the shortcomings. For example, if new processes for referrals from school to court are not breeding the expected results, the Multi-System Collaborative may suggest additional training on the protocol for school personnel or identify a potential weakness in it and suggest a remedy. For this reason, prior to data collection, it’s important for the Multi-System Collaborative to document expected performance and commit to using performance measures not only as a mechanism for reporting progress and impact, but also as a vehicle to inform program planning.

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## CONTINUE TO BUILD SUPPORT FOR THE EFFORT

### **PROMOTING REFORM EFFORTS TO DISMANTLE SCHOOL PATHWAYS TO JUVENILE JUSTICE**

Once the work of the Multi-System Collaborative is started, it is important that the group get the word out to the public. How that information exchange occurs is very important. The public is sensitive to criminal behavior that occurs on school grounds, and rightly so. Schools are expected to be safe environments where children can learn and grow. When something disruptive, or even tragic, occurs in a school environment, the public can have a knee-jerk reaction of support for strict disciplinary policies, such as zero tolerance. Often, the public has an unrealistic idea about the frequency of school violence and is not educated about risk-taking behaviors as part of the typical adolescent development. In addition, the public is unaware of the negative effects of zero tolerance policies. Removing students who do not pose a serious threat to safety of others may be increasing the risk of negative outcomes for the students, especially if removed in handcuffs, as well as the school and the community (Teske & Huff, Winter 2011). The public may also have negative views on the juvenile justice system due to a lack of knowledge and exposure to negative publicity by the media (National Association for Court Management [NACM], 1994; NACM, 1996; NACM, 2003; Schwartz, 2001; Annie E. Casey Foundation [AECF], 2009). In order for the reform to be successful, the Multi-System Collaborative should communicate strategies to change negative perceptions on the juvenile justice system and the courts, to educate the public about the negative consequences of zero tolerance policies, and to share the vision of the reform efforts to the entire community, including the general public and policy makers.

### **WHY DO COURTS NEED TO WORK WITH THE MEDIA?**

A positive image of the courts and the juvenile justice system makes the job of managing courts easier (NACM, 1996). Some media stories can promote positive change and influence policymakers, politicians, potential funders, and the general public (NACM, 1994, p.1; AECF, 2009, p.3; Schwartz, 2001, p.24).

Juvenile justice system professionals and courts are all too familiar with news that highlights an isolated incident of youth crime that, in return, triggers more punitive and reactive legislation and policies (AECF, 2009, p.3). Research on media coverage of youth and crime shows the press disproportionately covers youth crimes associated with violence (AECF, 2009, p.3). Through media advocacy and relations, juvenile justice system stakeholders can proactively generate positive coverage and advance the reform efforts (AECF, 2009, p.3). By proactively working with the media, the court can also insure that media coverage of their reform efforts are accurate, balanced and

portray the courts as well as the reform efforts in the most positive light (NACM, 2004, p.1).

Getting a local newspaper, television station, radio station or even an influential blogger to cover a story about reform efforts is one of the best ways to educate the community about the positive work you are doing (“Media Relations 101,” n.d.).

Media can also influence public policy. Policy and decision makers have a tough job to filter through thousands of issues that impact their communities and they rely on the news media to gauge public opinion (AECF, 2009, p.4). There are many success stories across the country that media campaign helped fuel public policy victories (AECF, 2009, p.4).

Partnerships with the media will allow you to get your message to individuals and organizations that help decide exactly what your community sees, hears, and reads (NCPC, 2000). The media offers direct and often immediate access to people in their community (NCPC, 2000). By working with the media, you help educate everyone. Using your connections in the media will allow you to get your message out in a very powerful way (NCPC, 2000).

## **GETTING STARTED WITH MEDIA RELATIONS**

The Multi-System Collaborative must have positive and proactive relationships with the media. This requires preparation and planning prior to coverage actually taking place.

### **A. KNOW YOUR CONTACTS**

The first step is researching and reaching out to the reporters who cover youth issues (AECF, 2009, p.6; NCPC, 2000; Venn, 2011). You’ll need to know exactly where to send information that you want printed, broadcast, or displayed (NCPC, 2000).

There are various types and forms of media that the court should consider (AECF, 2009, p. 10; NCPC, 2000):

- Newspaper/Press (Daily and weekly)
- Television
- Radio
- Web Publications and Blogs
- Editorial Boards
- Magazines
- Billboards
- Newsletters

### **B. DEVELOP MEDIA STRATEGIES/PLANS**

The Multi-System Collaborative should have a media plan to promote public understanding and respect though the news media (NACM, 2003, pp.10-11). This plan should include procedures to respond to media inquiries in a timely manner (NACM, 2003, p.10; NCPC, 2000). Having a point person for media inquiries will help reporters get answers quickly as well as improve the court’s and/or the system’s image (NCPC, 2000; NACM, 1994, p.11; NACM, 1996, pp.23-26). The media strategies should include working with local colleges. Many of these schools have journalism and public relations departments that are willing to assist the courts on projects. The students gain experience and the court can receive the end product at little or no expense (NACM, 1996, p.24).

There is a variety of communication tools to build relationship with the identified media contacts (Venn, 2011):

- Face-to-face meetings
- Fact sheets and issue briefs
- News Releases
- Social media releases
- Event release or invite
- Pitch letter
- Telephone and email
- Op-eds
- Newsletters

After getting to know media contacts, the Multi-System Collaborative should begin working on clarifying the message it wants to communicate. Think about what you are promoting (NCPC, 2000). When writing media release, consider writing with the most important facts (who-what-when-where-how-why) first (NCPC, 2000; NACM, 1994, p.5).

When working with the media, the Multi-System Collaborative and the media point person should consider establishing ground rules and ensure mutual respect exists. The NACM (1994) suggests the following general reminders for media relations (NACM, 1994, pp.2-4):

- Establish ground rules
- Be available and be accurate
- Be understanding and aware of media deadlines
- Be truthful and clear
- Always be on the record
- Use easily understood terms
- Be fair and behave professionally
- Understand and respect the media's competitiveness
- Be prepared to be interviewed

### **C. MAINTAINING RELATIONSHIPS WITH MEDIA**

Successful media strategies rely on successful relationship building with the reporters (AECF, 2009, p.6-7; NACM, 1994, p.2). The National Judicial College (NJC) (2009) addresses the top issues for court-media relationships such as ongoing cross-training and dialogue among judges and journalists to foster an understanding of each other's roles, development of a bench/bar/media committee that meets regularly to address issues of mutual concern, and development of trial-press management in high-profile cases, etc. (NJC, 2009, p.33).

Judges should consider judicial ethics when dealing and maintaining relationships with the media. The American Bar Association (ABA) (2007) has its Model Code of Judicial Conduct for judicial consideration. Canon 3B(9) and Canon 3A(6) of the ABA Model Code directly speak to making public comments (as cited in NJC, 2009, p. 38). The NJC (2009) suggests tips for dealing with the media

(NJC, 2009, pp. 42-43):

- Never lie or mislead a reporter.
- Appreciate and respect the reporter's deadlines.
- If you want to be quoted, make colorful statements.
- Avoid legal terms in explaining complex issues.
- Set your own terms for the interview.
- Tape the interview.
- Provide written materials where appropriate.
- Don't let a reporter put words in your mouth.
- Remember, reporters rarely write headlines, especially on larger publications.
- Give the reporter the benefit of the doubt.

To gain support for your reform efforts from the general public, maintaining successful relationship becomes a critical piece of your work. There are several activities the Multi-System Collaborative should consider (NCPC, 2000):

- Write to media contacts whenever an important issue arises. Describe the issue, explain the Multi-System Collaborative's impact on the issue, and outline how the media can help increase that impact.
- Meet with public service managers, news directors, and editors of local media to discuss the initiative and describe its need for media support.
- Include media representatives on VIP guest lists for any special events, workshops, or training seminars.
- Encourage local news media to report on positive reform efforts and successes achieved by the Multi-System Collaborative.

Working with the media is rarely easy, and the Multi-System Collaborative should be prepared for facing some challenges. One of the challenges is to demonstrate how the issue is relevant to the entire community. Another is to make the issue stand out from so many others that are pitched every day. Changes in media contacts in media organizations and in the Multi-System Collaborative can also make it difficult to maintain successful relationships with the media.

Despite the challenges, maintaining successful relationships with the media will be rewarding. By establishing and maintaining a strong relationship, positive media coverage will educate the community about the efforts of the Multi-System Collaborative and reach potential supporters and funders to sustain the initiative (NCPC, 2000).

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## SUSTAINING THE WORK

**H**ow to sustain change is not something to only consider once the change has happened. Rather, it should be strategically anticipated and planned from the moment the change process is initiated. Strategies to sustain momentum of reform efforts, to institutionalize resulting policies and procedures, and to generally support ongoing system improvements must be embedded into the Multi-System Collaborative's action plan.

Sustainability of systems change efforts is greatly enhanced by...

**TRANSFORMATIONAL LEADERSHIP** - leadership that is focused on creating a system of self-sustaining change by:

- Facilitating the development of a shared vision that unites the system and guides change efforts
- Being aware of individual, organizational, and cultural forces that influence the ability of the collaborative to achieve its goals
- Recognizing the value of including a diverse range of opinions, experiences, and perspectives in the group
- Inspiring others to want to be part of change efforts.

**SHARED LEADERSHIP** throughout and at multiple levels within the Multi-System Collaborative—sharing leadership at different levels within and across the organizations represented in the Multi-System Collaborative helps establish buy-in and ensure that resources and barriers from each system are accounted for in the change efforts.

**THE DEVELOPMENT OF A “LEARNING ORGANIZATION” OR “SYSTEM”** - a system that is, itself, founded on the belief that people and organizations have the ability to change.

**THE INVOLVEMENT OF STAKEHOLDERS FROM ALL LEVELS OF THE ORGANIZATIONAL HIERARCHY** - ensures that all of the organizational knowledge is represented and allows for changes to be implemented from the top-down and from the bottom-up.

**THE DEVELOPMENT OF A COLLABORATIVE CULTURE** that supports innovation and collaboration throughout the system and a shared vision - creating a new way of working that requires and motivates individuals to think and act beyond themselves.

**A STRATEGIC PLANNING PROCESS** informed by reliable and valid data, with clearly articulated goals and outcomes - engaging in strategic planning at all phases of the collaborative process helps ensure the most effective and efficient use of collaborative efforts and resources.



**A CONCERN FOR MEASUREMENT AND EVALUATION DATA** to inform change efforts and determine success - a focus on defining outcomes, data collection and periodic analysis of these data is critical for gauging progress, helping to re-focus efforts, and for guiding the change strategies used by the collaborative.

**In Order to Sustain Change you should:**

- Develop a network of change champions and facilitate the ongoing expansion of the network
- Support a system-wide dialogue by capturing and sharing lessons learned
- Set-up a network of peers in each part of the system for mentoring and support – be sensitive to burn-out and provide ways to visibly reward continued effort
- Communicate your successes and communicate them widely – have a communication campaign (a plan for frequent dissemination of information on group activities as well as results)
- Include the voice of students and parents in change efforts – this will keep you grounded in reality as well as help make in-roads by improving the systems response to their needs
- Celebrate your successes
- Measure and track what you do

“Culture does not change because we desire to change it. Culture changes when the organization is transformed – the culture reflects the realities of people working together every day” – *Frances Hesselbein*

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The National Council of Juvenile and Family Court Judges maintains an online listing of resources that may be useful to school-justice partnerships working together on school discipline reform. The listing is updated periodically and includes articles, reports, and research on school discipline issues and reform as well as sample programs, models, policies, and agreements that are being used in jurisdictions throughout the U.S. to address these issues.

These resources may be found on the Schools and Justice section of the NCJFCJ website by visiting [www.ncjfcj.org/our-work/schools-and-justice](http://www.ncjfcj.org/our-work/schools-and-justice).



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