

IMPLEMENTING CHANGE:

SCHOOL PERSONNEL'S ROLE IN ADDRESSING THE INTERSECTION OF HOMELESSNESS AND JUVENILE JUSTICE

Every year, an estimated one in ten young people between the ages of 18 and 25, and one in 30 young people between the ages of 13 and 17 will endure some form of homelessness while unaccompanied by a parent or guardian.¹ This equates to nearly 3.5 million young adults and roughly 700,000 young people under 18.² Youth experiencing homelessness are often cited, arrested, and/or incarcerated, instead of receiving the support they need. Youth may also be at greater risk of experiencing homelessness after juvenile justice involvement due to education disruption, their juvenile record and other factors. A recent study conducted by the University of Chicago's Chapin Hall, showed that among youth who said they had experienced homelessness, 46 percent had also been in a juvenile detention facility, jail, or prison, as compared to 15 percent of the general population.

46 PERCENT OF YOUTH EXPERIENCING HOMELESSNESS HAVE SPENT TIME IN A JAIL, DETENTION FACILITY OR PRISON, AS COMPARED TO 15 PERCENT OF THE GENERAL POPULATION

This brief was created to help school personnel better understand their role in addressing the intersections between juvenile justice and youth homelessness. The following principles and practice recommendations are meant to help administrators, teachers, counseling staff and other school staff ensure that young people do not become justice-involved because they are experiencing homelessness, and similarly that they do not experience homelessness because of contact with the justice system. These recommendations are based on the Coalition for Juvenile Justice's "Principles for Change," a series of policy and practice recommendations that were developed in conjunction with the National Network for Youth, the



National League of Cities Institute For Youth, Education, & Families, and a panel of expert advisors from across the country. The Principles promote cross collaboration between local and state lawmakers, juvenile justice agencies, schools, police, State Advisory Groups (SAGs),⁴ and others to better support and serve youth, and to prevent or reduce youth homelessness. This brief outlines the Principles' application to schools specifically.

School administrators, educators, counseling staff, and other school personnel play a vital role in addressing the intersection between juvenile justice and youth homelessness. Schools are uniquely positioned to identify and connect young people to proper services in order to reduce youth homelessness and its intersections with juvenile justice. This document will help guide educators and other staff on how to connect young people with proper services in order to benefit the school, the young person, and the community. School personnel interact with young people on a daily basis and are crucial partners in identifying youth, connecting them with proper services, and ensuring that they are not criminalized for behaviors that result from their lack of stable housing. We encourage school administrators, teachers, counseling staff, and other personnel to take the following steps, as recommended in the "Principles for Change":



PRINCIPLES FOR CHANGE

“ENSURE THAT YOUNG PEOPLE ARE DIVERTED FROM JUVENILE JUSTICE SYSTEM INVOLVEMENT WHENEVER POSSIBLE, AND THAT ANY DIVERSION PROGRAMS OR SERVICES ARE APPROPRIATELY TAILORED TO MEET THE NEEDS OF YOUTH EXPERIENCING HOMELESSNESS.”

Forty-three states currently consider truancy a status offense.⁵ School personnel should use methods other than court referrals - such as Truancy Review Boards - to identify and respond to the underlying reasons for missed classes.

Similarly, rather than relying on methods such as calling law enforcement or expelling youth for engaging in disruptive behaviors or minor offenses at schools, school professionals should use supportive and trauma-informed school discipline policies. Schools should partner with community-based providers to secure support services that address causes of truancy or other behaviors that potentially may lead to juvenile justice involvement.

Since these behaviors can be a result of family crisis, it is critical to ensure that supports and services are made available to the entire family.

Research shows that young people experiencing homelessness are disproportionately likely to be suspended from school. For example, Texas

Appleseed reports that young people experiencing homelessness are twice as likely to be referred to in-school suspension and 2.5 times more likely to receive an out-of-school suspension.⁶ Being out of school may lead to a higher chance of youth becoming involved in the juvenile justice system, and other unintended consequences such as:

- Students may not be able to access meals when out of school.
- Students may not have a warm and safe place to stay during the day when suspended from school.
- Students may lack adult guidance and supervision during the day when they are out of school.

“ENSURE THAT THE LAWS AND POLICIES IN YOUR JURISDICTION DO NOT LEAD YOUTH EXPERIENCING HOMELESSNESS TO BE CITED, ARRESTED, OR CHARGED WITH SURVIVAL ACTS OR ‘QUALITY OF LIFE’ OFFENSES.”

School personnel should comply with all federal and state law, including the education provisions of the McKinney-Vento Act,⁷ in order to meet the needs of youth experiencing homelessness. They should also:

- Take advantage of any available training or assistance in how best to aid youth.
- Become active in community discussions about proposed laws that could lead to juvenile justice involvement for youth experiencing homelessness, particularly those that relate to school-based offenses.
- Take the steps to ensure that youth are not subject to school discipline for being homeless or receive harsh school discipline for behaviors triggered by past traumatic experiences or actions directly related to their homelessness.
- Uphold the protection and respect of student privacy, for example by avoiding the use of School Resource Officers or investigators to verify youth housing statuses. At the same time, schools should recognize and embrace their role in identifying youth in need of services.

Local example.

In Illinois, a Truancy Review Board is used as a first-line response to absences. This Review Board stands in place of a traditional court response. It brings together the student, their family, and school personnel, as well as representatives from youth service agencies, representatives from local health agencies, and others to identify the underlying cause of the student’s absences, and identify ways to address these issues and get the student back in school. The Review Board may connect the young person with local service providers, or require them to attend counseling sessions. The Review Board serves as a less formal alternative to court, and ensures that the young person is not criminalized for their behavior.

“WHEN JUVENILE JUSTICE SYSTEM INVOLVEMENT CANNOT BE AVOIDED, ENSURE THAT COMPREHENSIVE TRANSITION PLANNING BEGINS IMMEDIATELY AFTER—AND CONTINUES THROUGHOUT—A YOUTH’S CONFINEMENT OR PROBATION SUPERVISION.”

Educators and school administrators should coordinate with juvenile justice agencies to develop and implement policies to ensure that youth who are exiting a justice placement are able to re-enroll in school promptly such as:

- Transferring records to the school, even prior to the student’s release, and making credit recovery and transfer as easy and automatic as possible;
- Enrolling youth in courses for which they may receive partial credit while detained, thus enabling them to complete credits;
- Ensuring that home school counseling staff or teachers remain in touch with education staff at the juvenile facility.

A key first step in ensuring schools are not contributing to juvenile justice and/or homelessness is a review of data and policies. This includes examining school discipline policies, practices, and data to ensure that youth’s responses to unmet basic needs, behavioral health issues, or unaddressed trauma are met with services and support, rather than exclusion from school. Truancy, suspension, and expulsion rates should be broken down by race and ethnicity so that schools can identify and address any disparities.

By reforming school discipline and improving responses to school-based behaviors, school personnel can keep more youth in school. School personnel can also work to guarantee high quality education for youth in confinement, by providing qualified teachers, using strong school standards such as those in the community, helping programs qualify for independent accreditation, and providing credit recovery or alternative credentialing programs and vocational certification programs for youth attending schools in juvenile facilities. School personnel should also take the steps to help re-enroll students in school when they are released from the juvenile justice system, while also providing transition coordinators, advocates, or teams in the school and community who can help students navigate the process.

“ENSURE THAT YOUR COMMUNITY PROVIDES YOUTH AND THEIR FAMILIES WITH RELATED SERVICES AND SUPPORTS THAT CAN HELP THEM OBTAIN AND KEEP SAFE AND STABLE HOUSING.”

Schools should coordinate and collaborate with homelessness service providers to improve the provision of comprehensive education and related services to youth experiencing homelessness in accordance with the McKinney-Vento Act (42 USC §11432). Examples of such services include:

- Raising family and youth needs with the Housing and Urban Development (HUD) funded Continuums of Care,⁸
- Maintaining lists of current resources,
- Allowing youth to make calls to services from a counseling staff’s office, and
- Collaborating with local housing authorities.

Whenever possible, schools and other stakeholders should advocate for a consistent and expansive definition of homelessness so that homeless youth who are identified in schools can be rapidly housed.

Schools are also uniquely positioned to help provide skill-based training that can help young people secure meaningful employment. Schools should help identify students’ strengths and help them build upon their skills. When possible, schools should connect young people with potential employers and suitable internship opportunities. To see what resources are available in your community visit:

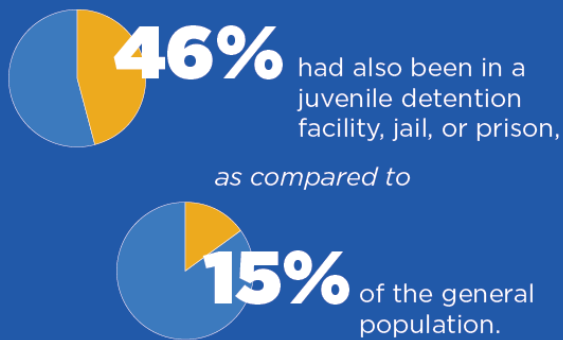
<https://www.acf.hhs.gov/fysb/grants/fysb-grantees>.

“ENSURE THAT YOUTH HELP LEAD AND SHAPE THE IDENTIFICATION AND IMPLEMENTATION OF POLICY, AND PRACTICE SOLUTIONS TO ADDRESS THE CONNECTIONS BETWEEN JUVENILE JUSTICE AND YOUTH HOMELESSNESS.”

Youth voice is essential when creating policy changes to help address the intersection between juvenile justice and youth homelessness. Youth - particularly those with lived expertise - should be consulted and included in policy making decisions. This could include creating youth panels and boards to assist with professional development for school administrators, teachers, and others, weigh in on proposed policy changes, and to support implementation through peer-to-peer outreach. Such engagement with youth should go beyond merely giving youth a seat at the table, but instead seek to ensure meaningful partnership and collaboration.

When creating boards and securing youth advisors, schools should ensure that restrictions are not put in place that will bar membership from individuals with lived expertise on issues such as the juvenile justice system, or youth homelessness.

A recent study conducted by the University of Chicago's Chapin Hall, showed that among youth who said they had experienced homelessness,



“ENSURE THAT EFFORTS PRIORITIZE LGBTQ/GNC⁹ YOUTH, YOUTH OF COLOR, AND OTHER OVER-REPRESENTED POPULATIONS TO ADDRESS AND REDUCE THE DISPROPORTIONALITIES THAT EXIST IN THE POPULATIONS OF YOUTH EXPERIENCING HOMELESSNESS AND/OR INVOLVED WITH THE JUVENILE JUSTICE SYSTEM.”

School leaders should provide and require meaningful and culturally responsive training for staff in order to increase knowledge about the needs of minority youth and ways to reduce their risk for homelessness and justice involvement. Schools should enact, expand, or update their comprehensive anti-harassment and non-discrimination policies by making certain that both youth and staff are aware of and abiding by these policies. School personnel must lead by example with this behavior.

Schools should expand recruitment and retention of diverse employees who have had similar lived experiences to the youth they serve.

By collaborating with LGBTQ/GNC youth and youth of color in developing programs, and encouraging them to provide peer support and educational opportunities for others, schools can ensure that these youth, their families, and their communities are given opportunities to work together on the identification and development of resources that can prevent juvenile justice involvement and reduce homelessness altogether. School personnel can help support their State Advisory Group's Disproportionate Minority Contact (DMC) committee,¹⁰ and other relevant juvenile justice committees as they address DMC. They can also encourage these groups to consider and address homelessness-related issues, as achieving housing stability for youth of color can be a strategy for decreasing DMC in the juvenile justice system. Educators and school administrators should

also make certain that no youth will be subjected to or referred to programs that attempt to alter their sexual orientation or gender identity.

CONCLUSION

School personnel play a significant role in addressing and preventing youth homelessness and its intersections with juvenile justice. By following these guidelines to prevent youth homelessness and the challenges that accompany it, school personnel and educators can make a change in youths' lives. These guidelines will also work to lessen youths' contact with the juvenile justice system and keep them in school. By working towards this goal, school personnel can positively influence youth, the school, and the community as a whole.

For more information see “Addressing the Intersections of Juvenile Justice Involvement and Youth Homelessness: Principles for Change”, available at: <http://juvjustice.org/sites/default/files/ckfinder/files/FINAL%20Principles%20-%20Ons%20final.pdf>

Notes

- ¹Missed Opportunities: Youth Homelessness in America. Voices of Youth Count, Chapin Hall. Available at http://voicesofyouthcount.org/wp-content/uploads/2017/11/ChapinHall_VoYC_NationalReport_Final.pdf. Last accessed Jan. 23, 2018.
- ²Id.
- ³Missed Opportunities.
- ⁴State Advisory Groups (SAGs) were created in the Juvenile Justice and Delinquency Prevention Act (JJDP). Each state or US territory has a SAG who gives feedback on the use of state's JJDP funds and is knowledgeable about the state's juvenile justice laws and reform. For more information on SAGs, click here. <http://www.juvjustice.org/sites/default/files/resource-files/Status%20Offenses%20-%20A%20National%20Survey%20WEB.pdf>.
- ⁵The research here shows that 46 states consider truancy a status offense; however, 3 states have since updated their laws.
- ⁶Texas Appleseed. “Young Alone and Homeless In the Lone Star State: Policy Solutions to End Youth Homelessness. Available at: https://www.texasappleseed.org/sites/default/files/YoungAloneHomeless_FullReport_fin.pdf. Last accessed March 27, 2018.
- ⁷As amended by the Every Student Succeeds Act. For more information see <https://nche.ed.gov/legis/mv.php>.
- ⁸HUD describes the program as “designed to assist sheltered and unsheltered homeless people by providing the housing and/or services needed to help individuals move into transitional and permanent housing, with the goal of long-term stability.” Learn more at www.hudexchange.info/programs/coc/.

⁹Lesbian, Gay, Bisexual, and Transgender (LGBT), Gender Non-Conforming (GNC)

¹⁰DMC Committees work at the local and state level with the State Advisory Group to address and remedy the overrepresentation of minority youth in the juvenile justice system.

This project was funded by Raikes Foundation, Tow Foundation, and Melville Charitable Trust.

For more information contact the Coalition for Juvenile Justice
Phone: 202-467-0864
Email: info@juvjustice.org
Web: www.juvjustice.org
Address: 1319 F Street NW, Suite 402, Washington, DC 20004

