

**U.S. PROGRAMS**  
**Strategic Opportunities Fund**  
**Summary of Recommended Grants**  
**Docket I - April 6, 2012**

**Strategic Opportunities Fund**

<b>Organization</b>	<b>Grant Code</b>	<b>Recommended</b>	<b>Term</b>	<b>2012</b>
<b>Special Initiatives: Dismantling the School to Prison Pipeline</b>				
National Council of Juvenile and Family Court Judges	T1: 21126	\$ 100,000	2 years	\$ 100,000
<b>Total Recommended:</b>		<b>\$ 100,000</b>		<b>\$ 100,000</b>

**GRANTMAKING TOTAL THIS DOCKET:** \$ 100,000

  
Approval Signature

  
Date

## MEMORANDUM

**TO:** Aryeh Neier  
**FROM:** Erlin Ibreck, for the Strategic Opportunities Fund via Diana Morris  
**DATE:** March 27, 2012  
**RE:** Strategic Opportunities Fund Docket Meeting April 6, 2012

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Attached for your review and approval is one grant recommendation together with the grant summary sheet.

The recommended grant to the National Council of Juvenile and Family Court Judges (NCJFCJ) is part of a discrete initiative to reduce the inappropriate and harmful use of suspensions, expulsions, and arrests in public schools in an effort to address harsh discipline practices that reinforce the school-to-prison pipeline. NCJFCJ is the leading national convener of judges and other professionals working in juvenile justice. These are the individuals who deal on a daily basis with the real consequences of over-reliance by public school officials on “zero tolerance” policies that result in referrals to the juvenile justice system. These referrals have increased rapidly and expansively especially since the Gun-Free Schools Act of 1994. This project aims to engage field leaders such as Judges Teske and Huff who have applied innovative and successful approaches to resisting and reducing referrals from schools to destabilize the school to juvenile justice pipeline within their jurisdictions. These leading judges will work in collaboration with NCJFCJ to develop curricular modules, training and support protocols to share their best practices with the national field of adjudicators.

NCJFCJ’s project will complement an earlier SOF grant for the *National Judicial Leadership Summit on School-Justice Partnerships*, a conference that was coordinated by retired Judge Judith Kaye of New York in New York City and that took place on March 11-13. We look forward to any questions or feedback you may have about this recommendation.

**Grant ID:** 20035566

**Legal Name of Organization:** National Council of Juvenile and Family Court Judges

**Tax Status:** 501(c)(3)

**Name of Fiscal Sponsor:** n/a

**Purpose of Grant:** To support *Judicially Led Responses to Eliminate School Pathways to the Juvenile Justice System*, which seeks to assist juvenile and family courts, member judges, and allied professional networks to address the issue of youth becoming increasingly ensnared in the juvenile justice system as a result of referral from schools.

**Grant Description:** The grant recommendation is part of a special 2012 initiative that seeks to address the school-to-prison pipeline. The National Council of Juvenile and Family Court Judges (NCJFCJ) proposes a national project entitled *Judicially Led Responses to Eliminate School Pathways to the Juvenile Justice System*. It seeks to leverage NCJFCJ’s national access to juvenile and family courts, member judges, and allied professional networks to address the issue of youth involvement in the juvenile justice system as a result of referral from schools and to curtail the school-to-juvenile justice pipeline. NCJFCJ’s overarching framework acknowledges that increasing reliance by schools on “zero tolerance” discipline policies, particularly within the last two decades and in the shadow of federal policies, has resulted in an exponential rise in the number of referrals from school districts to juvenile courts.

**Previous OSI Support:** None

**Organization Budget:** \$13,500,000

**Project Budget:** \$600,000 over 3 years

**Major Sources of Support:**

The Atlantic Philanthropies	\$400,000
Public Welfare Foundation	\$100,000
Office of Juvenile Justice and Delinquency Prevention (pending)	\$ 75,000

**Amount Requested:** \$100,000

**Is this a contingent grant?** No

**Amount Recommended:** \$100,000 (T1: 21126)

**Term:** Two years, beginning July 1, 2012

**Matching Requirements:** n/a

**Description of Organization:**

Founded in 1937 by a group of judges dedicated to improving the effectiveness of the nation’s juvenile courts, the National Council of Juvenile and Family Court Judges (NCJFCJ) works to improve courts and systems practice and raise awareness of core issues at the heart of children and family welfare. The vision of NCJFCJ is for a society in which every family and child has access to fair, equal, effective, and timely justice.

NCJFCJ pursues its vision by providing all judges, courts, and related agencies involved with juvenile, family, and domestic violence cases with the knowledge and skills to improve the lives of the families and children who seek justice. Headquartered on the University of Nevada’s Reno campus, NCJFCJ supports a membership base of nearly 2,000 judges, commissioners, and other juvenile and family law professionals who work to improve practice in all areas of juvenile and family law, including child abuse and neglect, adoption and foster care, juvenile delinquency, family violence, and custody and visitation. The Council’s full reach extends to more than 20,000 stakeholders, including court administrators, social and mental health workers, police, probation officers, and others working in juvenile and family courts across the country.

NCJFCJ members are supported and coached through training, education, technical assistance, research, and related programming developed by the organization’s team of experts in the fields of law, psychology, criminology, sociology, public administration, social work, education, communications, and social science. The organization functions as the networking hub and lead convener for the field of juvenile and family court judges and judicial professionals.

**Description of Program for Which Funding Is Sought:**

NCJFCJ proposes a national project, entitled *Judicially Led Responses to Eliminate School Pathways to the Juvenile Justice System*, which seeks to leverage its access to juvenile and family courts, member judges, and allied professional networks to address the growing problem of youth becoming ensnared in the juvenile justice system as a result of initial referral from schools, thereby addressing the “school-to-juvenile justice pipeline.” The project will be advised by a development committee, which will include Judge Steven Teske (Georgia), Judge Brian Huff (Alabama), and Judge Donna Groman (California). Judges Teske and Huff have already designed and implemented successful interventions in their jurisdictions.

NCJFCJ’s overarching framework acknowledges that increasing reliance by schools on “zero tolerance” discipline policies, particularly within the last two decades and in the shadow of federal policies, has resulted in an exponential rise in the number of referrals from school districts to juvenile courts. The project seeks to improve policies and practices in cases involving school-based referrals to the juvenile court as well as reduce the number of referrals.

The proposed project has the following objectives:

- (1) Develop curricula with key juvenile court judges and allied system professionals that will assist stakeholder committees in local jurisdictions develop strategic, multi-system plans to uncouple the school to juvenile justice pipeline;
- (2) Develop and support regional training and consultants to provide jurisdictions with training, facilitated strategic planning, and technical assistance;
- (3) Provide facilitators to jurisdictions that request assistance to develop new policies and practices to reduce or eliminate the school to juvenile justice pipeline;
- (4) Incorporate project-related educational inserts at major national conferences;
- (5) Author informative articles and technical assistance briefs to further inform judges, educators and related agencies about promising practice and project activities and to profile jurisdictions implementing successful reform efforts;
- (6) Enhance the NCJFCJ's website to disseminate information and products to the field.

The proposed project is three years in duration, with a start date of July 1, 2012 to coincide with the NCJFCJ Annual Conference that will take place in New Orleans, Louisiana. The aligned timing of the conference and the project launch is intended to leverage publicity and field awareness of the project and, in turn, leverage additional resources over time. The Annual Conference typically draws 500 juvenile and family court judges and system professionals, including individuals who are proposed to serve on the project's development committee, including Judge Steven Teske (Georgia), Judge Brian Huff (Alabama), and Judge Donna Groman (California).

### **Rationale for Recommendation:**

The Strategic Opportunities Fund is undertaking a discrete special initiative in 2012 to reduce the inappropriate and harmful use of suspensions, expulsions, and arrests in public schools in an effort to address harsh discipline practices that reinforce the school-to-prison pipeline. Alongside a 2011 initiative aimed specifically at bringing such issues to the forefront of the Elementary and Secondary Education Act (ESEA) reauthorization debate, SOF is continuing to support this work in 2012 by branching out to additional stakeholders that can inform and implement relevant policies, be they educational, judicial, or justice-based.

The National Council of Juvenile and Family Court Judges is the leading national convener of judges and other professionals working in juvenile justice. These are the individuals who, on a day-to-day basis, are dealing with the real consequences of over-reliance by public school officials on "zero tolerance" policies that result in referrals to the juvenile justice system. Such referrals have increased rapidly and expansively especially since the Gun-Free Schools Act of 1994. This project aims to engage field leaders such as Judges Teske and Huff who have applied innovative and successful approaches to resisting and reducing referrals from schools to destabilize the school to juvenile justice pipeline within their jurisdictions. These leading judges will work in collaboration with NCJFCJ to develop curricular modules, training and support protocols to share their best practices with the national field of adjudicators.

In addition to directly overburdening the juvenile justice system through increased referrals, zero tolerance policies have also had an indirect impact on the juvenile justice system via their negative impact on students. Although designed to reduce the likelihood of future disruptions, suspensions and expulsions from school, these policies have the unintended consequence of leading to behaviors that increase the likelihood that students will misbehave again and, ultimately, become involved in the juvenile justice system. Research by the U.S. Department of Health and Human Services has documented that schools and school engagement act as protective factors for children.<sup>1</sup>

Children who are removed from school are less likely to receive adequate supervision and are more likely to engage in behaviors (e.g., gang involvement, physical fights, weapon possession, and drug use) that directly increase their chances of coming into contact with the juvenile justice system. Further, students who are labeled as criminals are more likely to fall behind in their school work; these factors can cause some students to drop out of school, which, consequently, increases the chances that they will come in contact with the juvenile justice system. Those children who do return to school after being suspended or expelled engage in higher rates of misbehavior, which can, in turn lead to further suspensions, expulsions, or direct referrals to the juvenile justice system. Thus, scholars argue that the criminalization of minor infractions has negative impacts on children (e.g., psychological harm, reduced educational opportunities, and increased dropout rates), which lead to increased involvement with the juvenile justice system. Other research points to the necessity for consistent school engagement to keep students on track to graduate high school.

As NCJFCJ notes in its proposal for this project, suspension and expulsion rates are higher for African-American and Latino students and, interestingly, the disproportionate discipline of students of color cannot be attributed to economic disadvantage or higher rates of misbehavior.<sup>2</sup> Instead, evidence suggests that the subjective nature of zero tolerance policies leads to differential treatment of minority students. For example, white students are more likely to be punished for guns, weapon, and drug violations whereas African-American students are more likely to be reprimanded for appearing threatening or being disrespectful.

Given the negative effects on youth associated with school disengagement and disparate treatment of students of color, many juvenile justice and education professionals are calling for an end to zero tolerance practices. Judicial leaders across the nation are collaborating more actively now than ever with schools, law enforcement officials, juvenile probation officers, and other system stakeholders to develop more reasoned and developmentally appropriate responses to school-based behavioral issues. This project seeks to bring together these leaders to craft training and technical assistance materials and recommend practices to assist other jurisdictions interested in reducing or eliminating the school-to-juvenile justice pipeline.

This action would complement an SOF grant approved earlier this year for the *National Judicial Leadership Summit on School-Justice Partnerships*, a conference that was coordinated by retired

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<sup>1</sup> U.S. Department of Health and Human Services. (2001). *Youth violence: A report of the surgeon general*. Washington, DC.

<sup>2</sup> Skiba, R., Reynolds, C. R., Graham, S., Sheras, P., Conoley, J. C., & Garcia-Vazquez, E. (2006). Are zero tolerance policies effective in the schools?: An evidentiary review and recommendations. *A Report by the American Psychological Associate Zero Tolerance Task Force*.

Judge Judith Kaye of New York in New York City and that took place on March 11-13. The Summit served as a national kick-off event for a discussion about policies and practices to reduce the number of children entering the justice system from schools by promoting positive student behavior, safe learning environments, and respectful and supportive school communities and by reserving the use of punitive measures – including school suspension and mandatory arrest – for the most egregious cases, while still holding children accountable for their behaviors. We believe the Summit has helped to build momentum for NCJFCJ’s initiative, and, in this way, SOF sees these grants as complementary opportunities to advance reforms that can help address harsh and inequitable disciplinary referral practices, and in turn destabilize and dismantle the school-to-prison pipeline.

The Strategic Opportunities Fund is pleased to recommend a grant of \$100,000 over two years to the National Council of Juvenile and Family Court Judges for support of this project. We view NCJFCJ as a critical advocacy partner in addressing both the school-to-court referral pipeline as well as the extraordinary consequences of this pipeline on young people of color.