

Testimony by JauNae Hanger, J.D.,  
President, Children's Policy and Law Initiative of Indiana (CPLI),  
before the U.S. Commission on Civil Rights, Indiana Advisory Committee

Abstract of Remarks  
Date Submitted: February 8, 2016

### **Organizational Information**

CPLI, founded in November 2012, is a 501(c)(3) non-profit organization, and a member of the National Juvenile Justice Network (NJJN), a network of and clearinghouse for state-based juvenile justice advocacy organizations. ([www.njjn.org/IN](http://www.njjn.org/IN)).

### **CPLI's Work to End the School to Prison Pipeline in Indiana**

CPLI works with several hundred advocacy organizations, lawyers, professional association members, educators, civil rights advocates, university faculty, and concerned individuals to reform public policies and practices in Indiana for children to be humane, just, fair, and consistent with best practice research. The organization advocates for all children to be treated in an age- and developmentally-appropriate, humane, equitable and just manner. It seeks to reform educational policy and school practices to minimize zero tolerance and exclusionary practices in school, and institute reforms that create positive school learning environments; ensure equity and fairness for all justice-involved youth; increase access to community-based care and mental health services for children; and advocate for positive, strength-based youth development approaches for children. It works to dismantle policies, practices and laws that contribute to the school to prison pipeline, with its disproportionate impact on youth of color and other vulnerable youth.

*Recent public policy advancements in Indiana championed by CPLI that address the school to prison pipeline:*

- elimination of the Valid Court Order Exception for Status Offenders so that repeat truancy and runaway does not end with a child in the Indiana Department of Correction;
- expanded authority under the Indiana School Safety Fund for schools to receive resources to support social emotional learning among their students;
- requirement of the Department of Education to develop guidelines for universities to train prospective teachers how to manage classroom behavior and keep children engaged in school.
- numerous juvenile justice reforms, including: reducing the listed offenses under the direct file statute for trying children as adults; requiring data collection on children who are waived or directly filed into the adult system; raising the age for trying children as adults for murder; requiring the recording of juvenile interrogations in schools; limiting the use of shackles and restraints on children in

the court room; and increasing diversion options for individuals with substance abuse, mental health and developmental disabilities.

- establishment of a new Subcommittee on School Discipline and Climate as part of the Education Outcomes Task Force of the Indiana Commission on Improving the Status of Children.

*Major programs and activities underway to reform school disciplinary policies and practices that contribute to the school to prison pipeline:*

- CPLI convened *Leaders Collaborating to Advance Positive School Discipline in Indiana* on October 6, 2015, hosted by United Way of Central Indiana. Over 80 experts, educators, child advocates, and government officials gathered to discuss research-based techniques for managing and addressing problem behaviors in schools, reducing disproportionality, reducing school based arrests, increasing alternatives to suspension and school based arrest, and building positive school learning environments. A report and recommendations will be released in June 2016, and disseminated widely to government officials, educators, juvenile justice officials, and the public. These recommendations are intended to help advance school policy and culture in Indiana to be supportive of the behavioral and mental health needs and stage of development of children; reduce disproportionality in school discipline and disparate outcomes for children of color and children with disabilities; and limit law enforcement and juvenile justice involvement in school disciplinary matters.
- CPLI is planning a 2-day workshop in 2016 for teachers to increase their classroom management skills, learn about implicit bias and culturally responsive practices, and enhance understanding of how education intersects with juvenile justice, so they are better equipped to avoid decision-making that leads to out-of-class referrals and increased risk of juvenile justice involvement by their students. Successive sessions are planned for school administrators and student service personnel, as well as school law enforcement and resource officers. Demographic information and school disciplinary data will be used to identify potential teacher participants, and teams from their schools, to serve as a catalyst for reform within specific schools.
- CPLI is pursuing a policy discussion regarding what is the appropriate mix of professional student services staffing to support students' social emotional learning needs and access to behavioral health and mental health services in Indiana schools. This year CPLI convened a coalition comprised of student services associations—school counselors, school social workers, and school psychologists—along with children advocacy organizations to advocate for an independent assessment of student service staffing, to determine current levels of staffing, best practice standards, and needed recommendations for addressing gaps in services. Current levels of the three student services professions—school counselor, school social worker, and school psychologists—in Indiana are seriously lower than national recommendations for all categories. This is a

potential issue for CPLI's fall summit this year, with follow up advocacy work in 2017.

## **The Indianapolis Schools Performance Report 2013-2014**

CPLI has partnered with faculty from the IUPUI School of Social Work and graduate students for 2 consecutive years (school years, 2012-2013 and 2013-2014) to conduct an assessment of school discipline practices in Marion County public schools, which includes both traditional and charter. Data used for the assessment summarized below is for the 2013-2014 school year. This information was published in *The Indianapolis Star* on March 28, 2015, except for the three schools that were taken over by the state, whose information was gathered from the Indiana Department of Education's (IDOE) website (CSUSA Manual, CSUSA Donnon, and CSUSA Howe).

### **Defining the Data**

#### **Schools**

Using the information from the Performance Report and the IDOE website, this assessment was able to calculate the percentage of students in each school that had been suspended during the 2013-2014 school year (number of students suspended divided by the total enrollment). It is necessary to note that the Performance Report only provides the *number of students suspended*, not the *total incidences of suspension*. Therefore, only the number of students suspended can be accounted for, not how many times each student was suspended. Total number of schools that submitted data for the performance report was 210; total number of schools that were assessed: 213. In order to organize the data, CPLI categorized the suspension rates into three categories: suspension rates above 10%, suspension rates between 3% and 10%, and suspension rates below 3%.

#### **Schools with 10% or higher suspension to enrollment rate:**

- 75 schools
- 35.2% of all reported schools (75/213) had 10% or higher suspension rates

#### **Schools with 25% or higher suspension to enrollment rate:**

- 24 schools
- 11.3 % of reported schools (24/213)

#### **Schools with 30% or higher suspension to enrollment rate:**

- 16 schools
- 7.5% of reported schools (16/213)

#### **Schools between 3-10% suspension to enrollment rate:**

- 59 schools
- 27.7 % of reported schools (59/213)

#### **Schools below 3% suspension to enrollment rate:**

- 79 schools
- 37.1% of reported schools (79/213)

**Schools with 0% suspension to enrollment rate:**

- 18 schools
- 8.5% of reported schools (19/223)

**Outliers:** 1 Traditional Public Alternative School-90.2% suspension rate; 4-Charter Schools-70% ,65.1%, 61% , and 56.2% suspension rates.

**Key Recommendations for Indiana included in Leaders Collaborating to Advance Positive School Discipline in Indiana (draft):**

- Develop therapeutic learning environment in all schools, by dealing with trauma and enlisting trauma-informed care, providing behavioral and mental health supports, and implementing restorative practices.
- Develop training opportunities, cross-disciplinary training opportunities, and professional development for entire school community-teachers, administrators, School Resource Officers or School Police, students, parents and community partners.
- Promote use of data at all levels to frame issues, identify solutions, and measure success, building systemic transparency and accountability.
- Increase resources to schools for in-school and out-of-school supports
- Create incentives for school discipline reform.
- Align culture change across district by encouraging a shared process and vision that results in consensus-based policies that drive practices and reform.
- Integrate School Resource Officers and School Police into the education team, through training and cross-training, team building, restorative practices, clear assignment of responsibilities through adoption of MOU's, mental health training, implicit bias training, de-escalation training, adolescent development training, and disabilities and Special Ed law training.
- Align reform efforts with children, parents and community involvement and leverage reform effort through collaboration, involving the entire school community in the decision-making process.
- Foster environments within school, district and state conducive to ongoing dialogue regarding race, equity, disproportionality and reform.