# Restorative Justice and Safe Schools

# JUDICIAL REVIEW

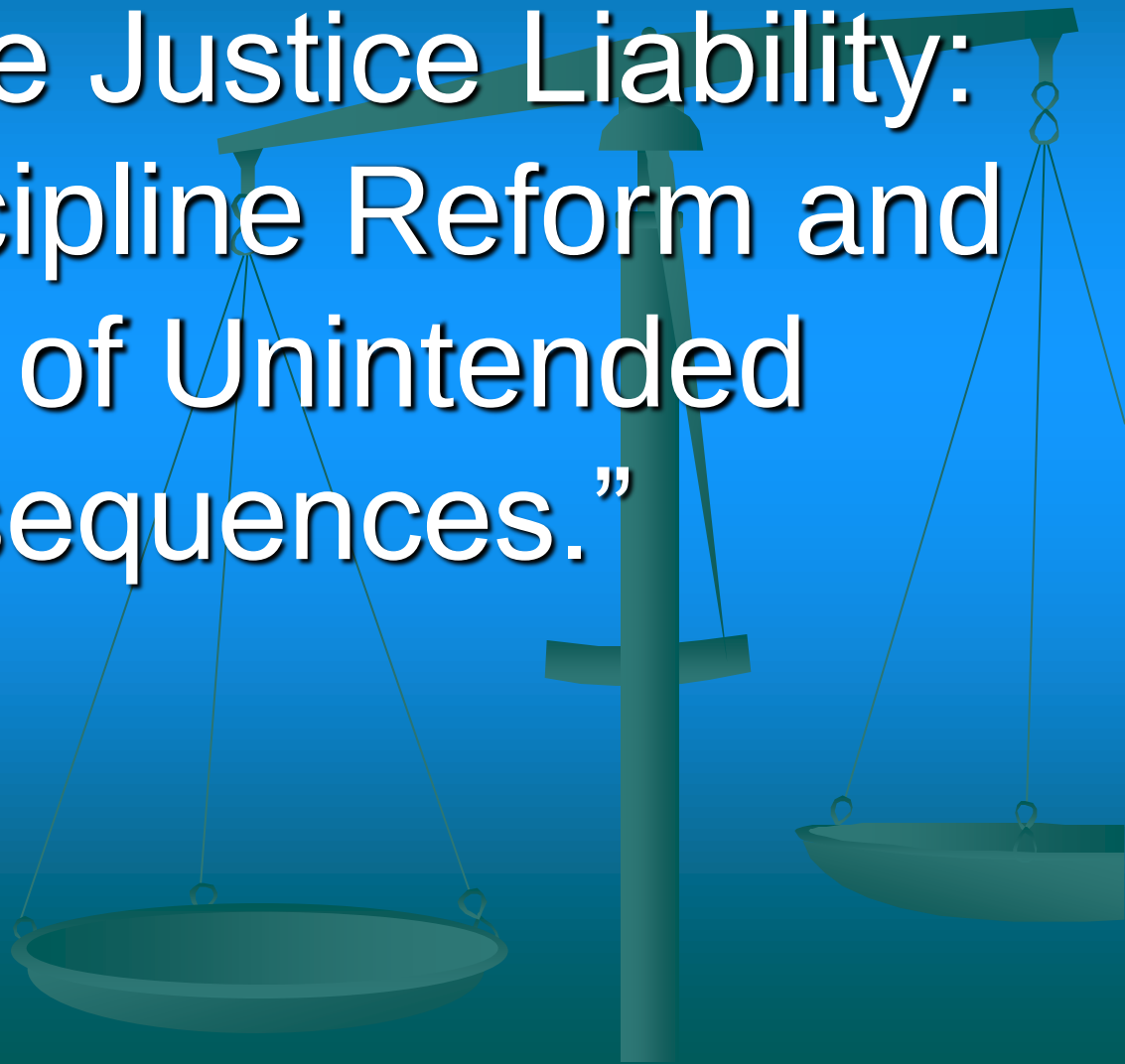
2014-2015

# Focus: Liability

**Bernie James – Pepperdine University Law School**

# Focus of Research

"Restorative Justice Liability: School Discipline Reform and the Law of Unintended Consequences."



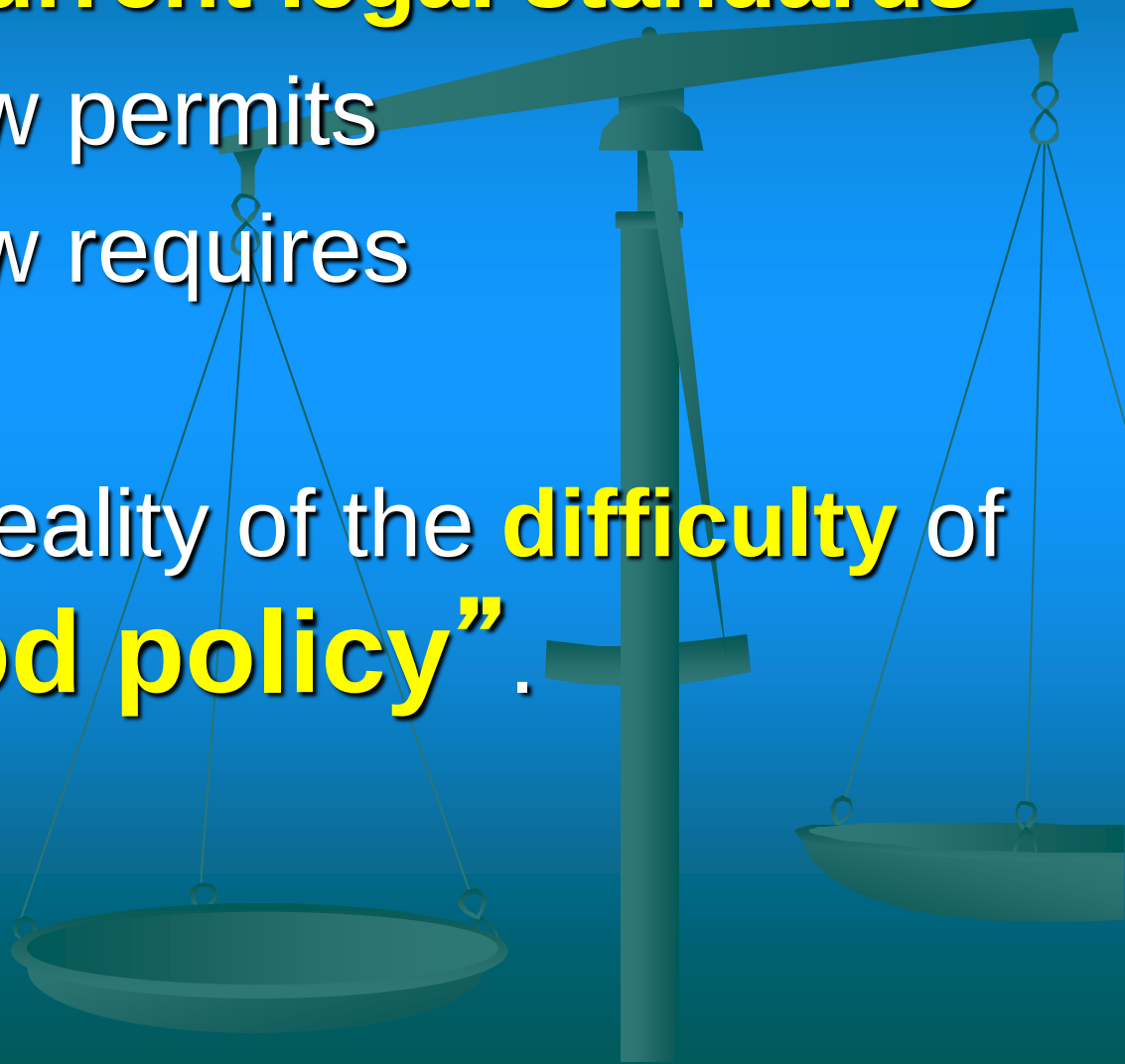
# Safe Schools: President Obama

- "Can we honestly say that we're doing enough to keep our children, all of them, safe from harm? I've been reflecting on this the last few days, and if we're honest with ourselves, **the answer's no**." We can't tolerate this anymore. These tragedies must end. And to end them, we must change."
  - *Remarks by President at Sandy Hook Interfaith Prayer Vigil*.

# Policymakers Challenge

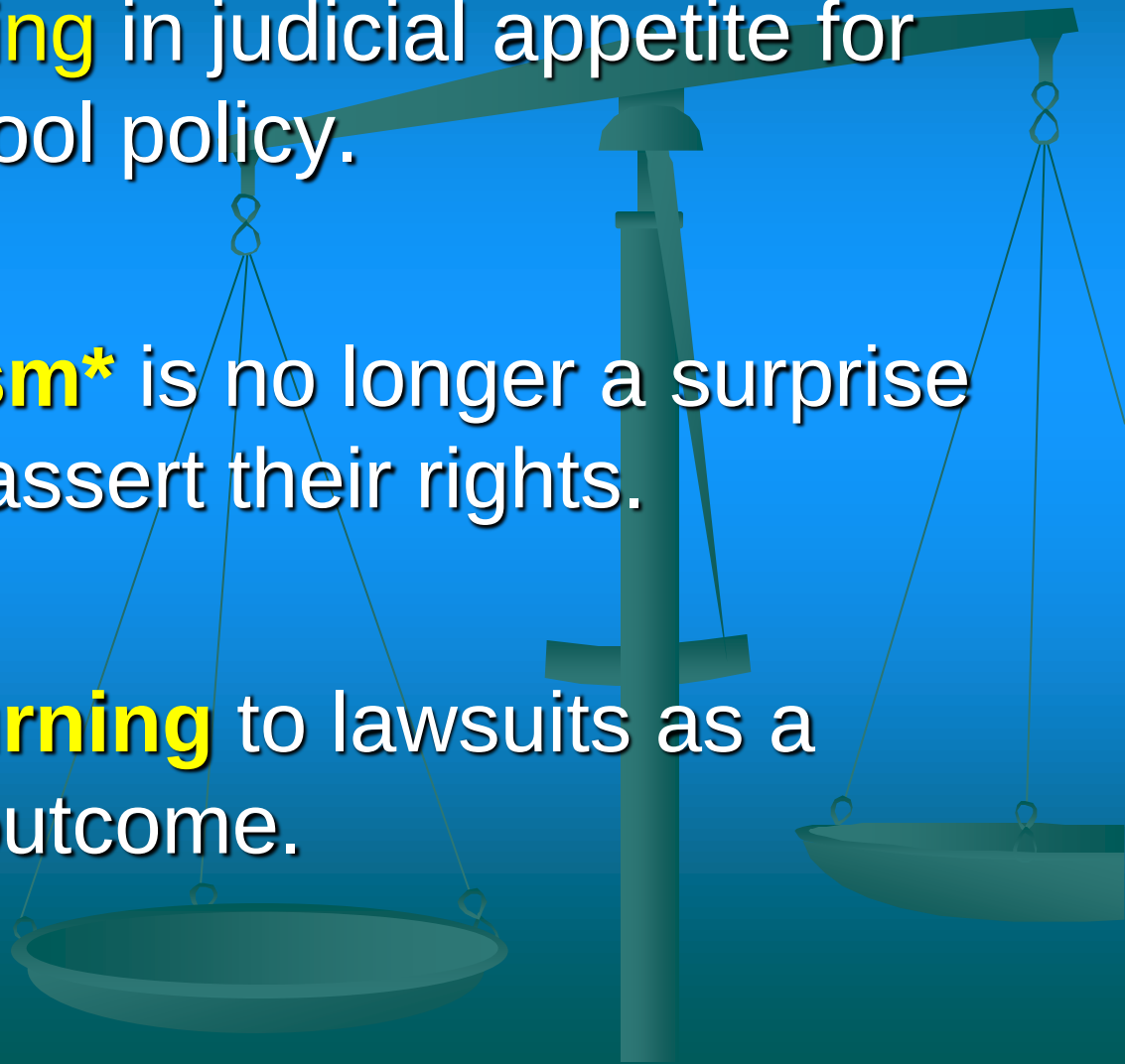
- Understand **current legal standards**
  - What the law permits
  - What the law requires

- Confront the reality of the **difficulty** of making **“good policy”**.



# Why Look at Court Decisions?

- A shift is occurring in judicial appetite for overturning school policy.
- **Judicial activism*** is no longer a surprise when students assert their rights.
- **Liability is returning** to lawsuits as a more frequent outcome.



# Traditional Judicial Deference

- Courts have traditionally demonstrated reluctance in exercising their judicial power in the area of school administration.
- Courts tend to defer to the school authorities wide discretionary authority in operating their schools.

# Traditional Judicial Deference

"By and large, public education in our Nation is **committed to the control** of state and local authorities.

Epperson v. Arkansas, 393 U.S. 97 at 104 (1968)

# Traditional Judicial Deference

"Courts **do not and can not intervene** in the resolution of conflicts which arise in the daily operation of school systems and which do not **directly and sharply implicate basic constitutional values**."

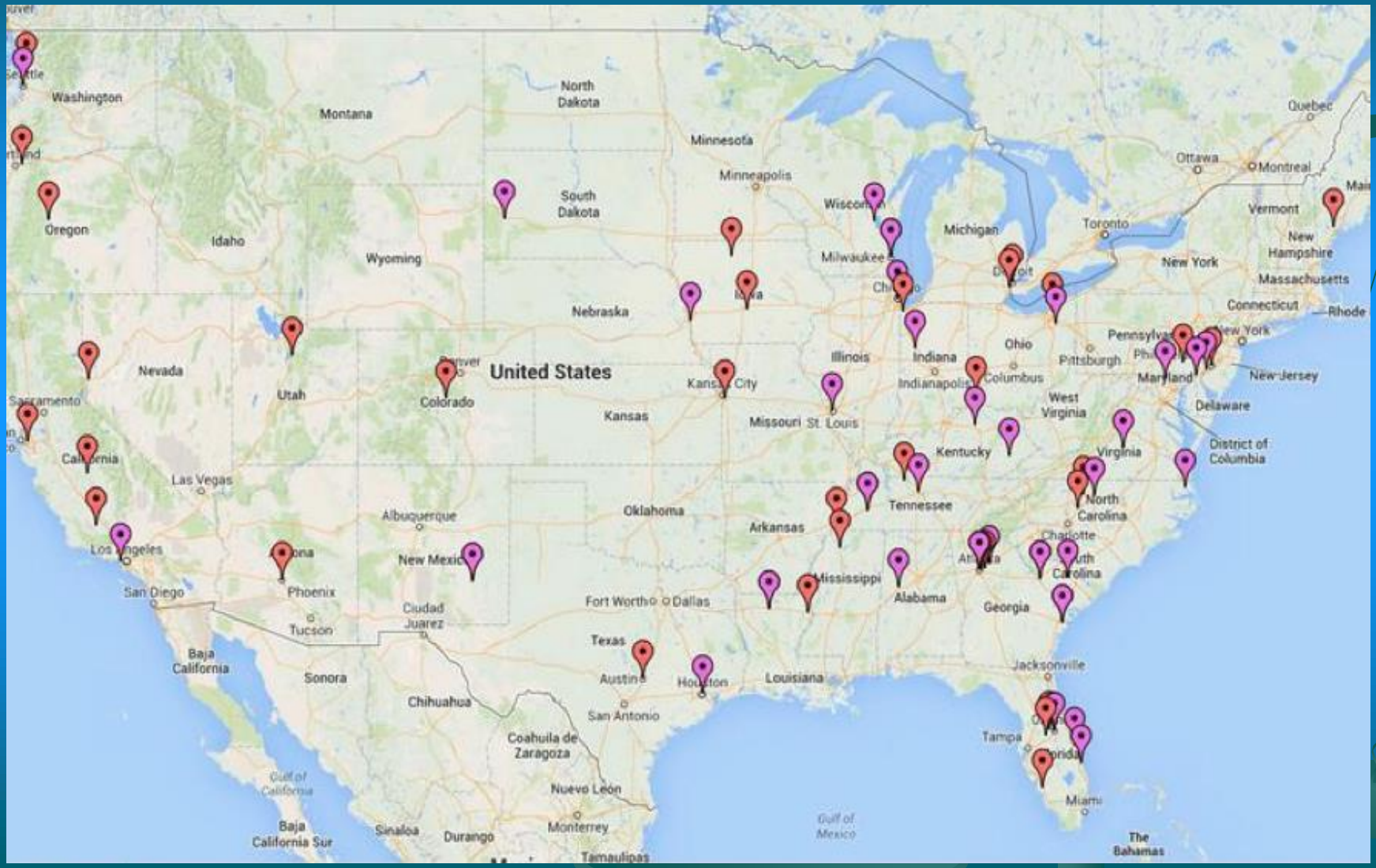
Epperson v. Arkansas, 393 U.S. 97 at 104 (1968)

# NEW ELEMENT…

- ACTIONS TAKEN IN **GOOD FAITH**
- POLICIES THAT FURTHER THE **EDUCATIONAL MISSION**
- PROCEDURES THAT ARE **FAIR**

- **JUDICIAL IMPATIENCE**

# Safe Schools – After Newtown



# Safe Schools After Newtown

## June 2014:

- 74 school shootings since the infamous assault on Sandy Hook Elementary School in Newtown, Connecticut

- **37 Shootings ……** so far in 2014.

- 13 school shootings recorded in **first six weeks of 2014** alone.

# Safe Schools After Newtown

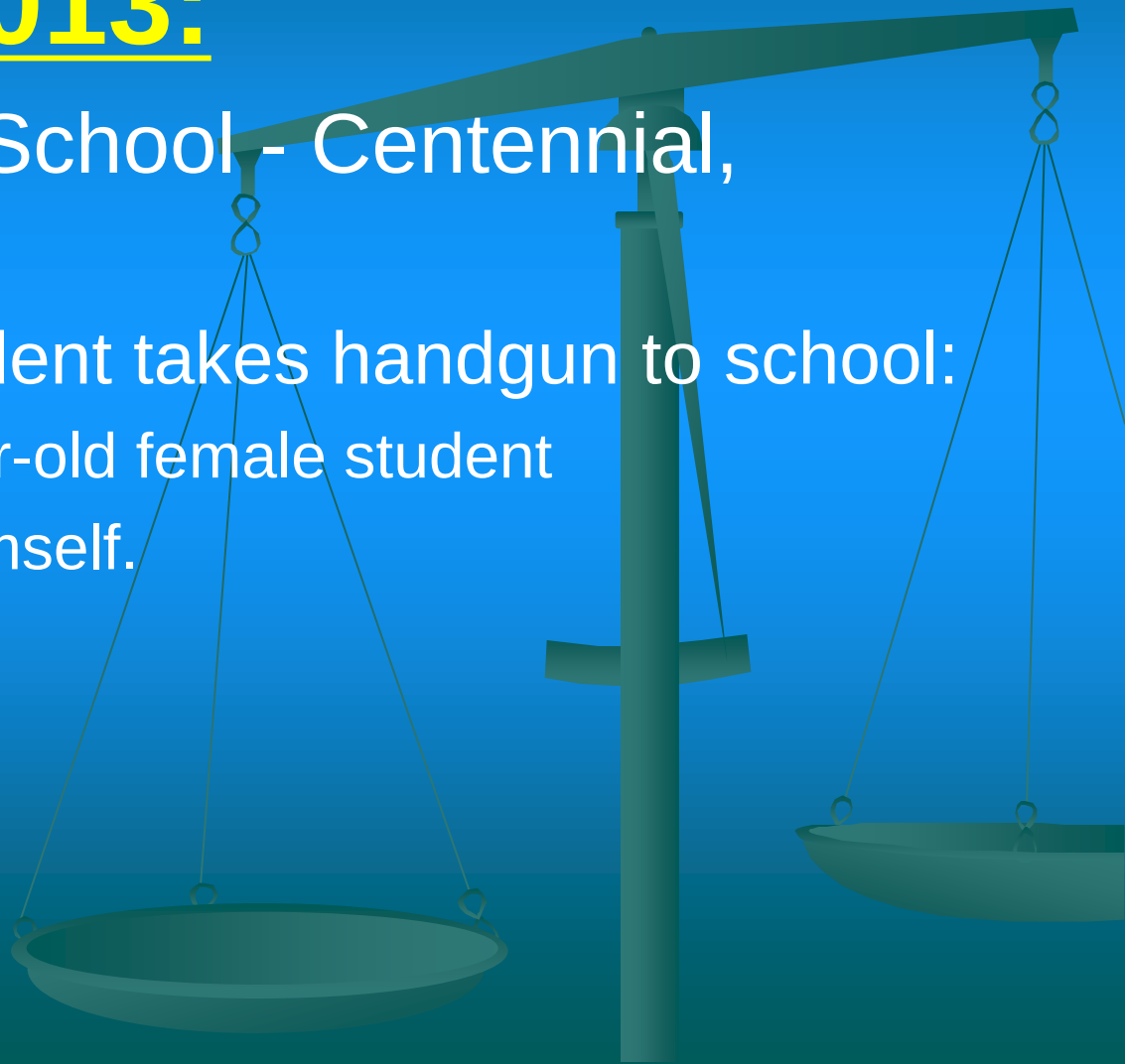
## October 2013:

- Sparks Middle School - Sparks, Nevada.
  - 12-year-old student Jose Reyes takes his parent's handgun to school:
    - shoots three,
    - injuring two 12-year-old male students and
    - killing Mike Landsberry, a teacher and Marine veteran.
    - He then kills himself.

# Safe Schools After Newtown

## December 2013:

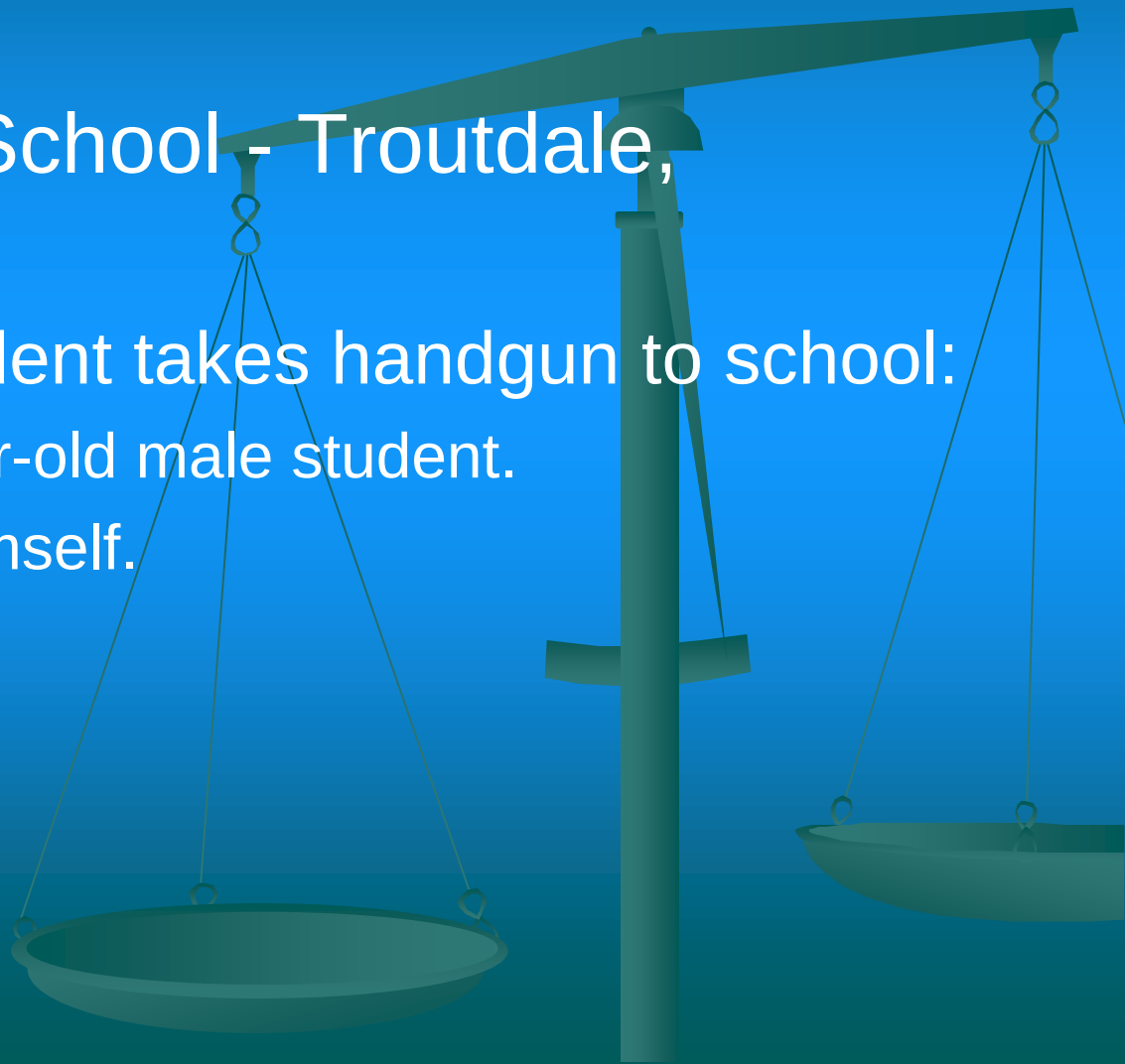
- Arapahoe High School - Centennial, Colorado.
  - 18-year-old student takes handgun to school:
    - Killing a 17-year-old female student
    - He then kills himself.



# Safe Schools After Newtown

## June 2014:

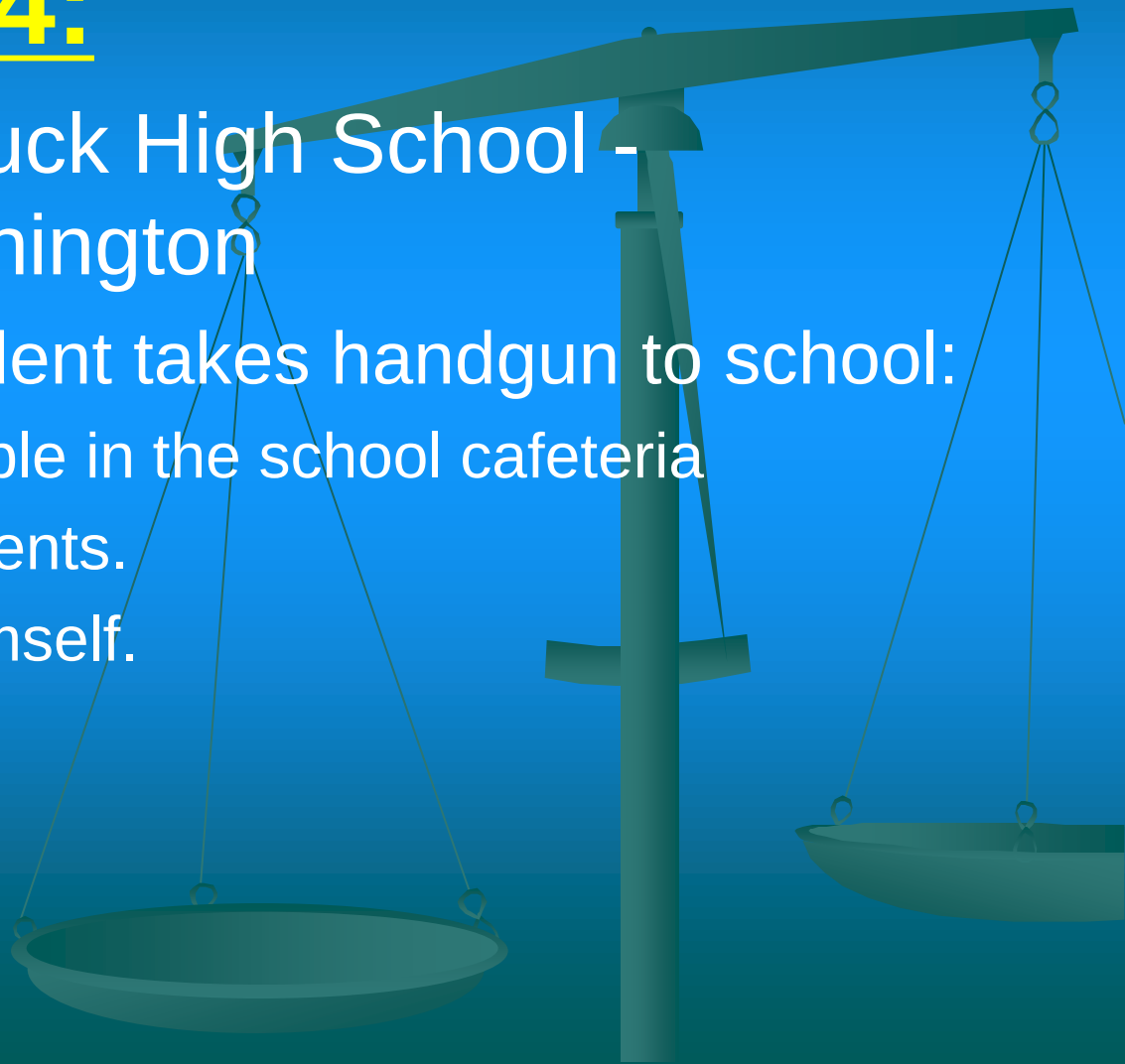
- Reynolds High School - Troutdale, Oregon.
  - 15-year-old student takes handgun to school:
    - Killing a 14-year-old male student.
    - He then kills himself.



# Safe Schools After Newtown

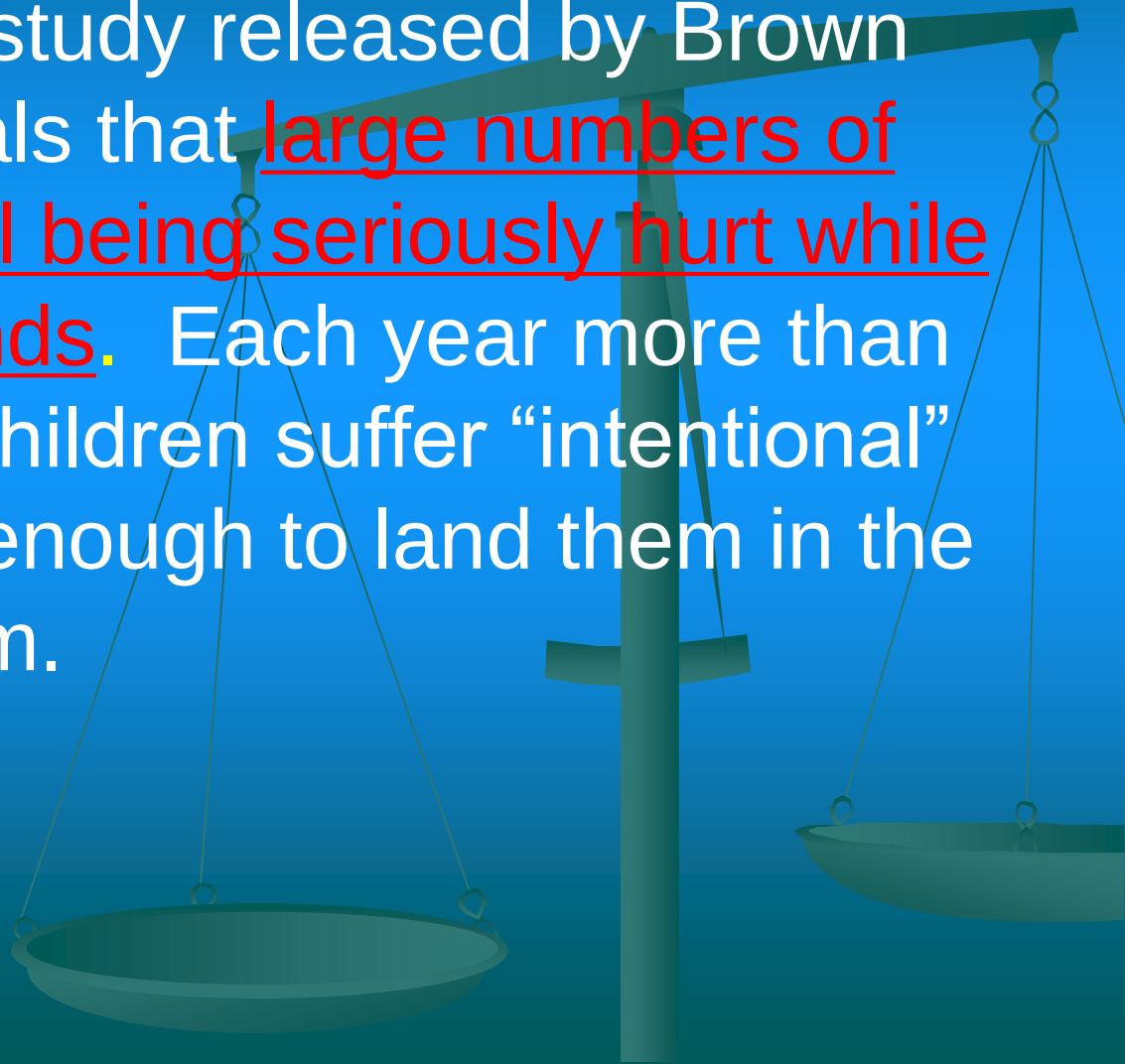
## October 2014:

- Marysville-Pilchuck High School - Marysville, Washington
  - 16-year-old student takes handgun to school:
    - shoots five people in the school cafeteria
    - Killing four students.
    - He then kills himself.



# 2013 Brown University Study

- A new national study released by Brown University reveals that large numbers of students are still being seriously hurt while on school grounds. Each year more than 90,000 school children suffer “intentional” injuries severe enough to land them in the emergency room.



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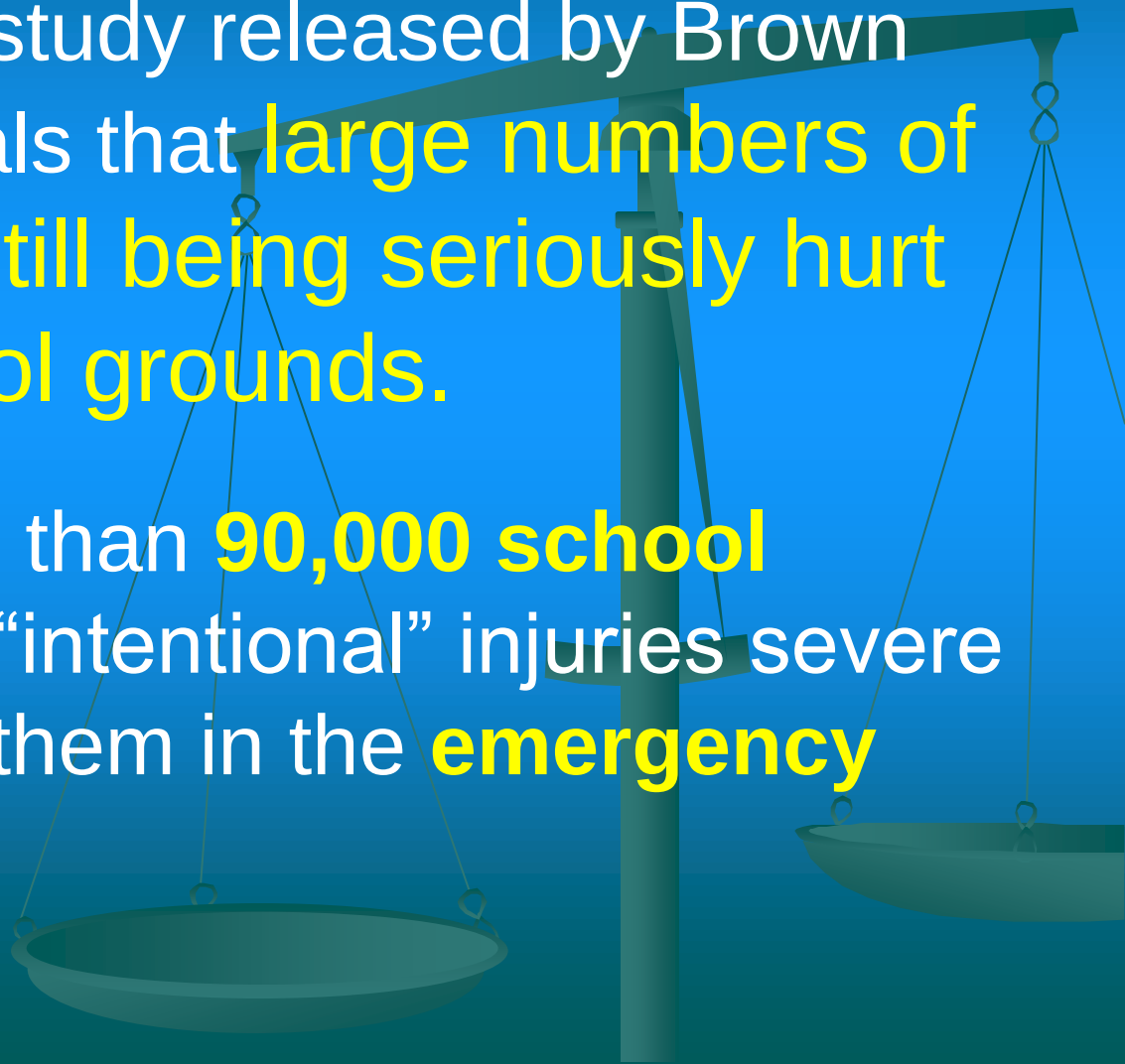
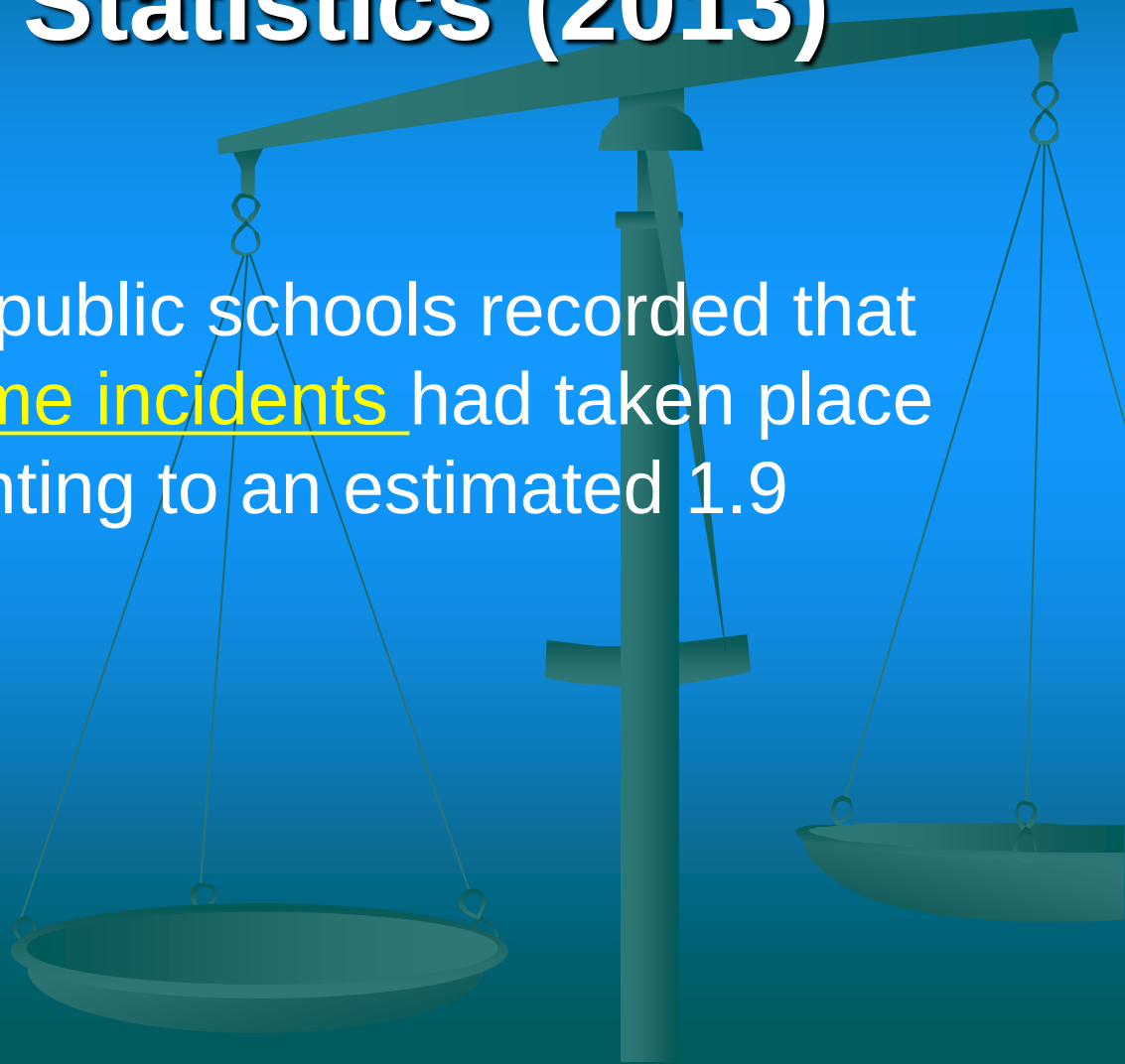


# The U.S. Department of Education's National Center for Education Statistics (2013)



- 85% percent of public schools recorded that one or more crime incidents had taken place at school amounting to an estimated 1.9 million crimes.

# The U.S. Department of Education's National Center for Education Statistics (2013)

- This translates to a rate of 40 crimes per 1,000 public school students enrolled.

# The U.S. Department of Education's National Center for Education Statistics (2013)

- Only 15 crimes per 1,000 public school students enrolled were reported to the police, amounting to 689,000 crimes.

# The U.S. Department of Education's National Center for Education Statistics (2013)

- 6% percent of female teachers
- 4% percent of male teachers
- Physically attacked by a student during the school year.

- This is the highest rate of teacher victimization ever reported.

# The U.S. Department of Education's National Center for Education Statistics (2013)

- The percentage of public school students who reported being threatened or injured with a weapon on school property varied:
  - from 5 percent to 12 percent

INDIANA = 7%

# Center for Disease Control 2014

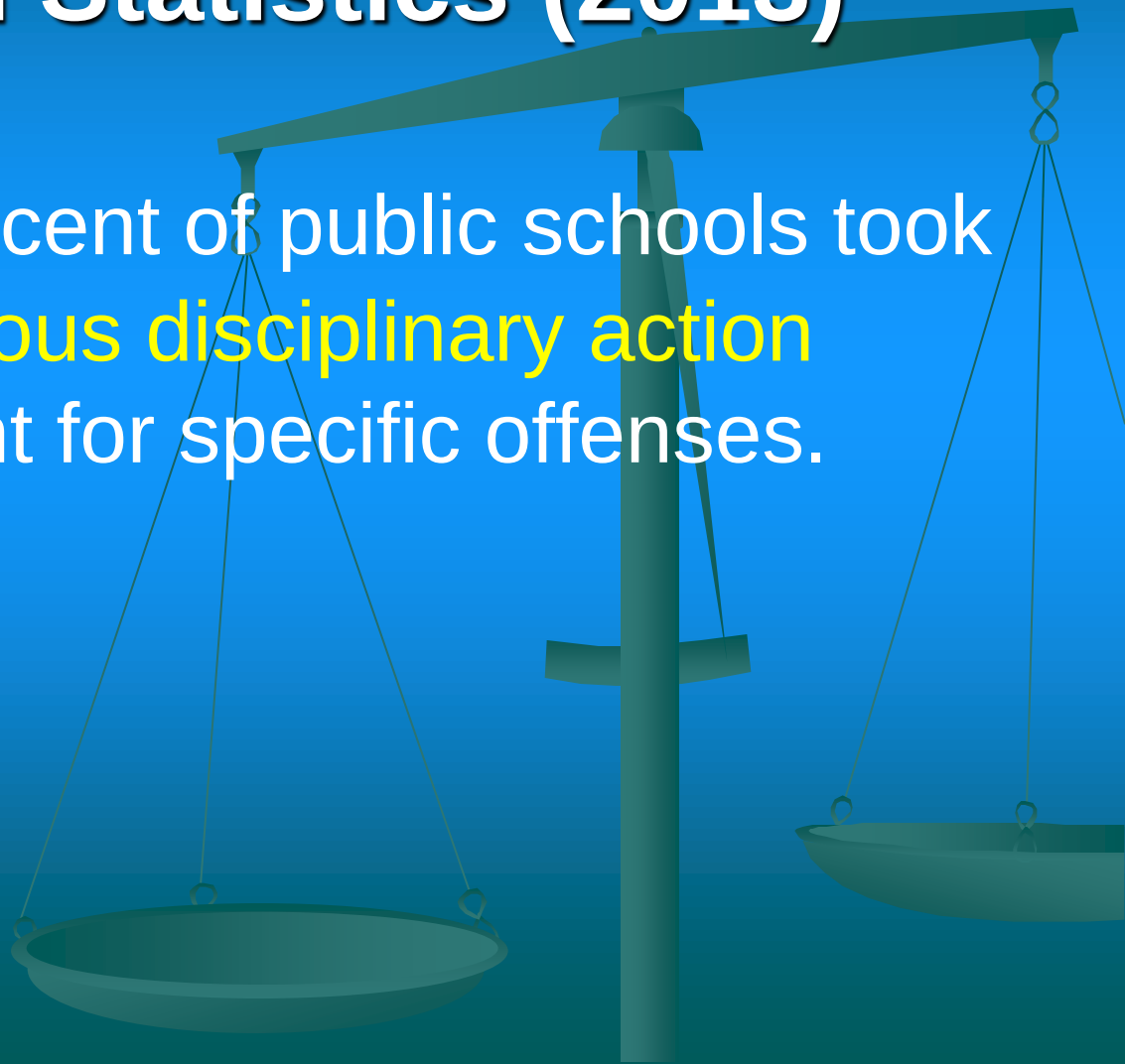
- 19.6% of high school students in the US report being bullied at school in 2014.
- Over 67% of students believe that schools respond poorly to bullying, with a high percentage of students believing that adult help is infrequent and ineffective.

# New Jersey Department of Education Survey - 2014

- 34% percent of students reported to an educator:
  - seeing or knowing about a weapon in school.

# The U.S. Department of Education's National Center for Education Statistics (2013)

- Only 39% percent of public schools took at least one serious disciplinary action against a student for specific offenses.

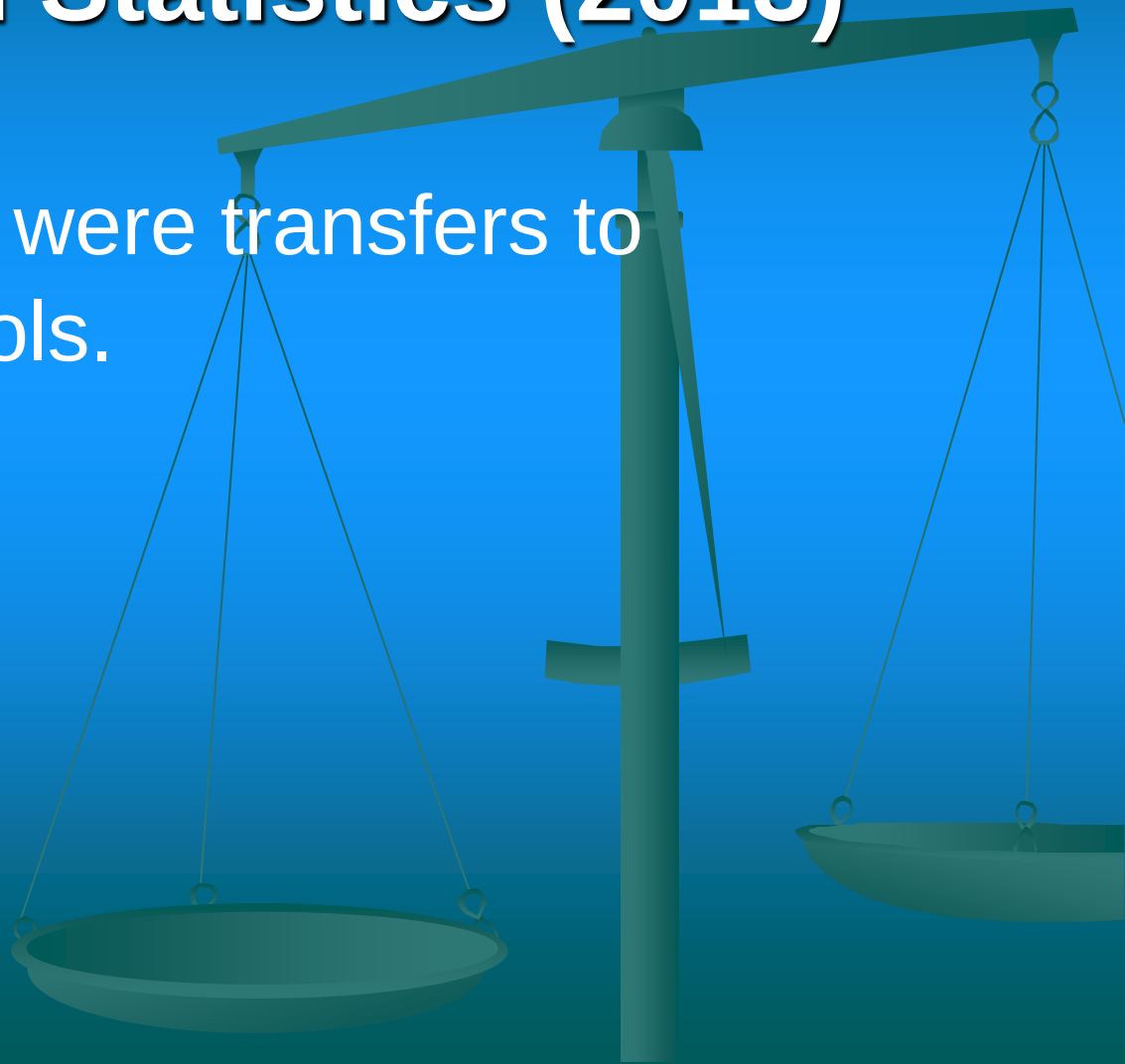


# The U.S. Department of Education's National Center for Education Statistics (2013)

- 74% percent were suspensions for 5 days or more.

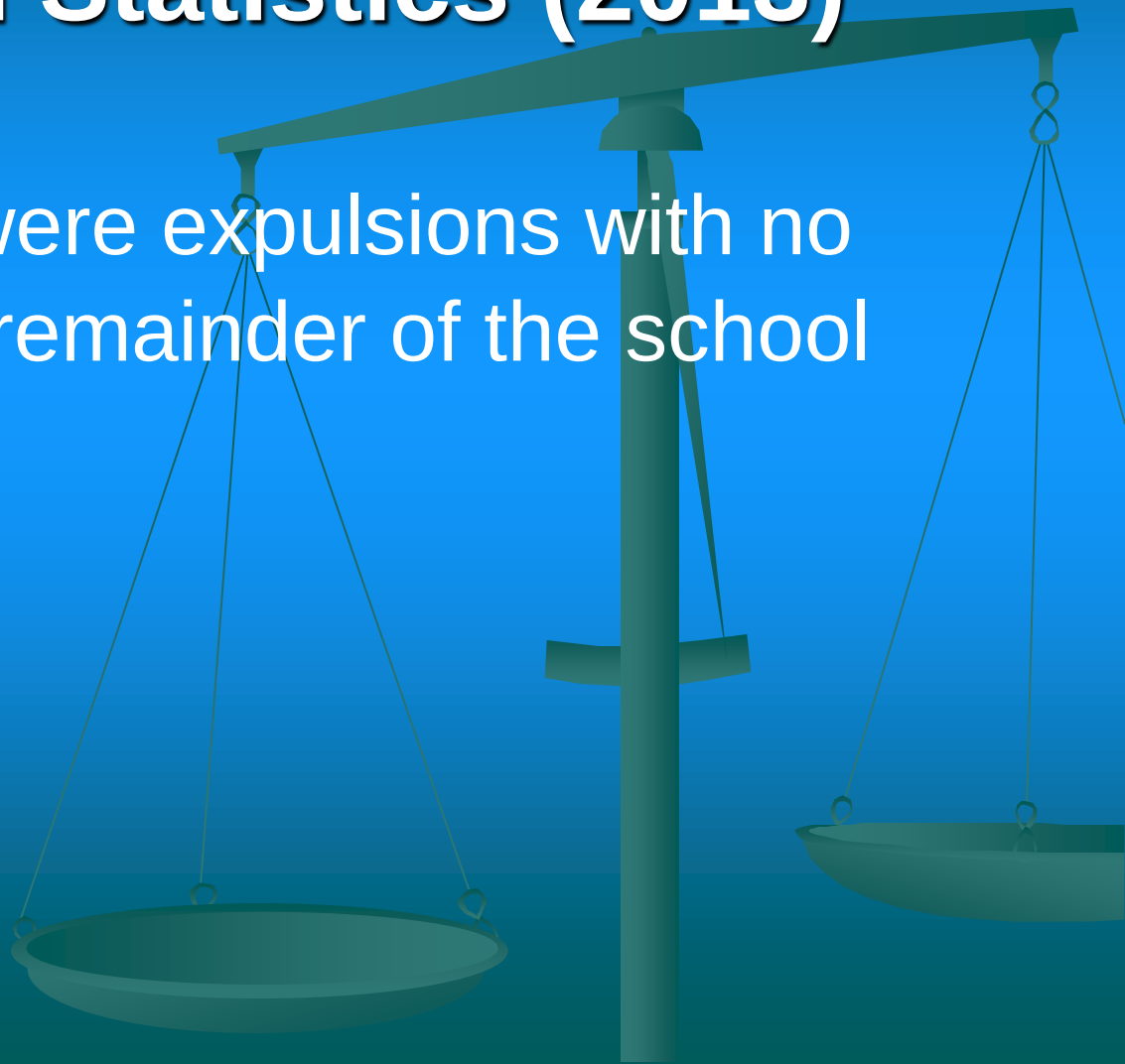
# The U.S. Department of Education's National Center for Education Statistics (2013)

- 20% percent were transfers to alternative schools.



# The U.S. Department of Education's National Center for Education Statistics (2013)

- 6% percent were expulsions with no services for the remainder of the school year.



# Impact on Collaboration with Law Enforcement- Colorado

- Interagency agreement between the Denver Police Department and Denver Public Schools:
  - requires school resource officers to implement "restorative justice" techniques. SROs will write fewer citations and arrest only when absolutely necessary .

# Impact on Collaboration with Law Enforcement – New York

- Interagency agreement between the Rochester School District and the Rochester Police Department:
  - requires school resource officers to implement "restorative justice" techniques. SROs will write fewer citations and arrest only when absolutely necessary .

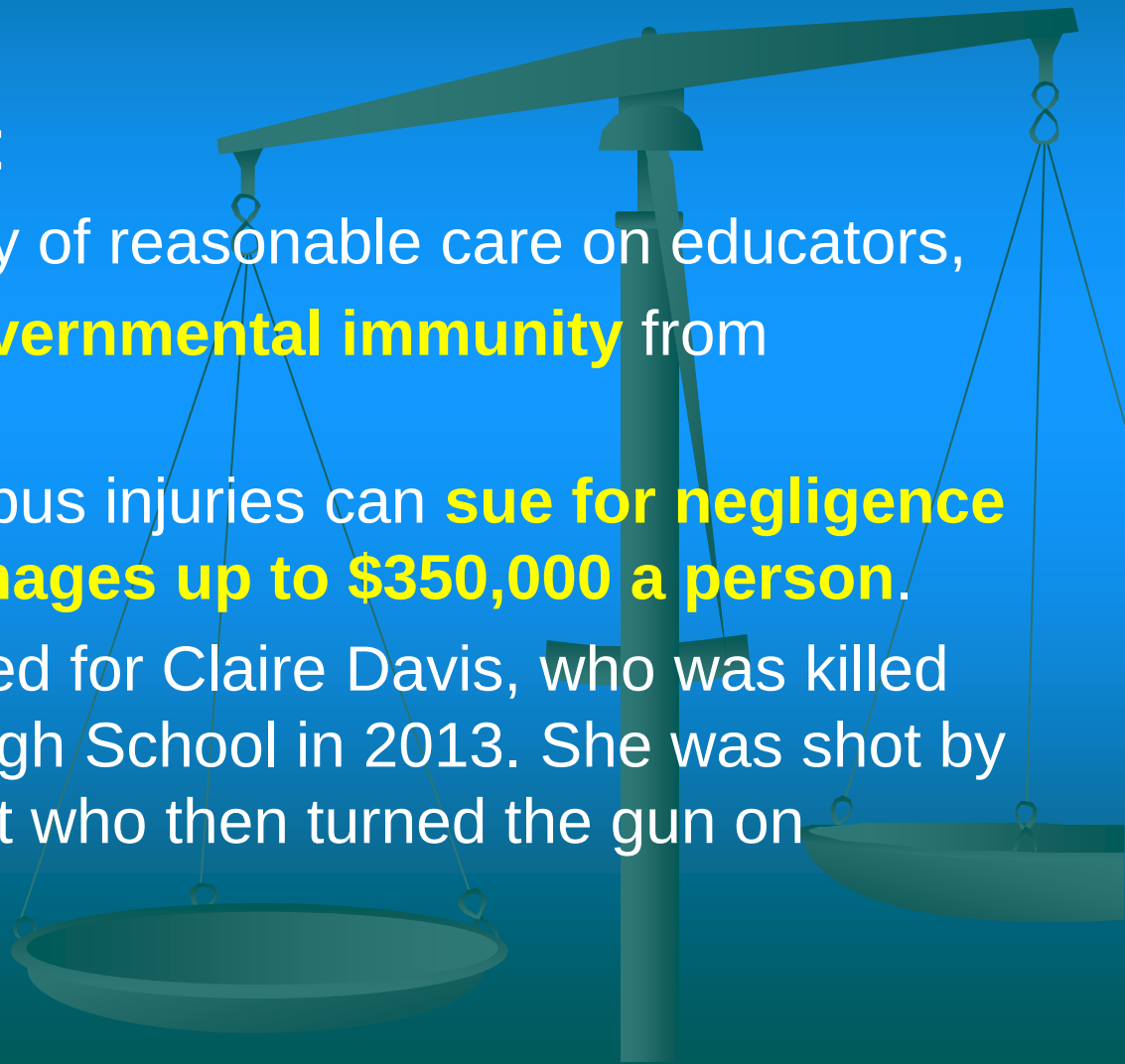
# Communities React

- In **Elmira, New York**, parents are now pushing back after a rash of violence in Elmira's secondary schools.

- The backlash is directed at restorative justice policies and dissatisfaction with school system response to **an increase in violence.**

# Policymakers React

- In Colorado
  - Senate Bill 213:
    - Imposes a duty of reasonable care on educators,
    - **Eliminates governmental immunity** from lawsuits.
    - Victims of campus injuries can **sue for negligence and claim damages up to $350,000 a person**.
    - The bill is named for Claire Davis, who was killed at Arapahoe High School in 2013. She was shot by a fellow student who then turned the gun on himself. .



# Policymakers React

- In Connecticut
- SB 1108, the "Zero-Tolerance Safe School Environment Act."
  - Existing penalties for **threats made against schools** would be increased from misdemeanor to felony in all cases.

# Policymakers React

- In New York City
- Revised school policy on suspensions. The new policy includes adding oversight of principals' decision to suspend students.
- However, the city kept its longstanding policy
  - Suspend students for one to five days for "defying or disobeying the lawful authority or directive of school personnel or school safety agents."

# Courts React

- Montana court grants a motion for a restraining order brought by parents.
- Court order:
  - **overrides educator's decision** to keep a violent student on campus
  - Prevents the student from attending a local high school.
  - Cites the teen's **history of bringing guns to school.**

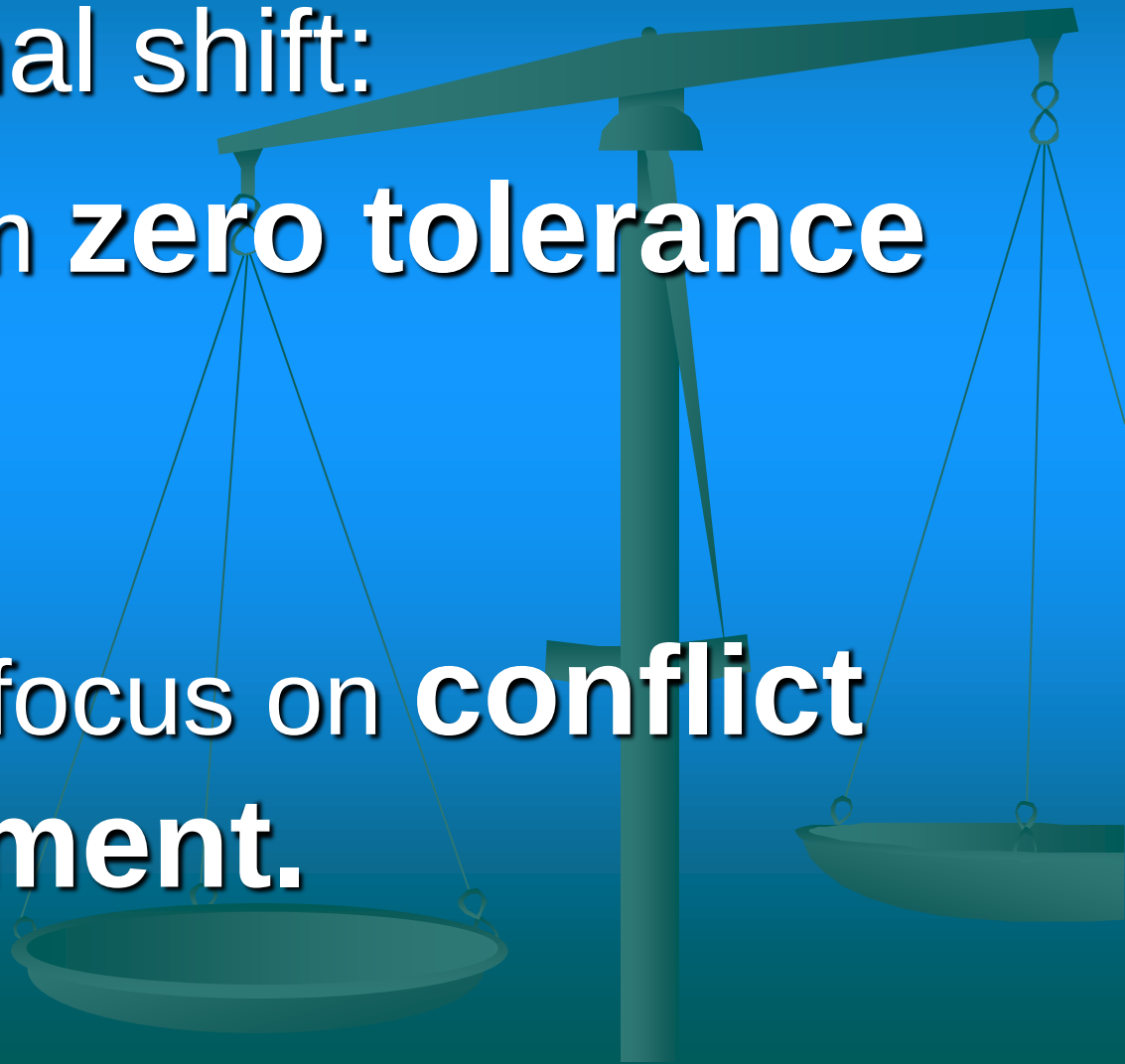
# Liability Indiana Law

- **KING v. SCHOOL DISTRICT OF WASHINGTON TOWNSHIP**
  - 790 N.E.2d 474 (Ind. Sup Ct. 2003)

- We hold that a school district **is not immune** from a claim that the district failed to take reasonable steps to provide security for persons on its premises. We further hold that a security service employed by a school district may be liable for negligence in carrying out its contractually assumed obligations.

# New Wave of Education Reform

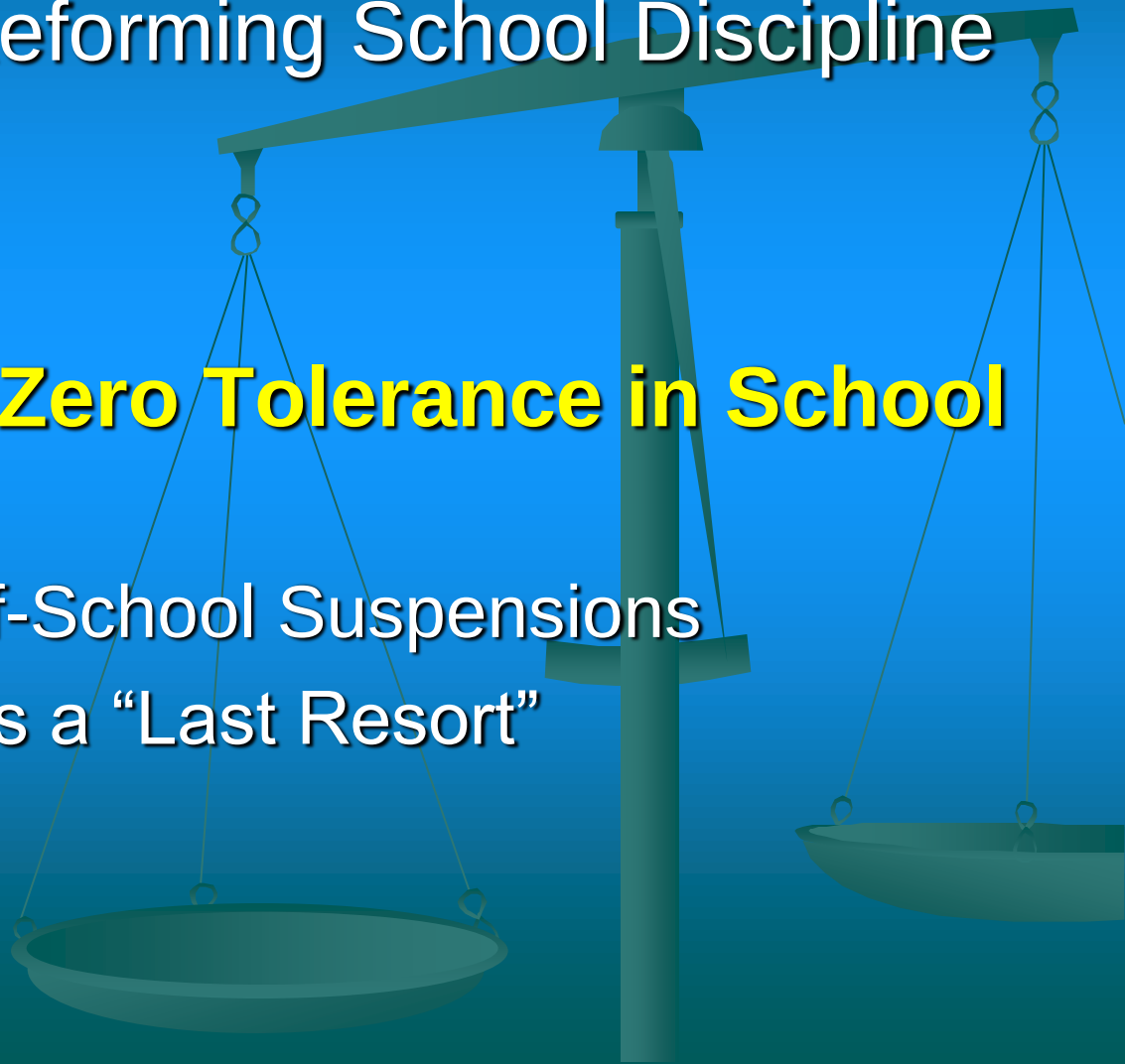
- Slow national shift:
  - **Away** from **zero tolerance** policies.
  - **Toward** a focus on **conflict management.**



# Restorative Justice

- Philosophy of Reforming School Discipline

- **Focus**:
  - **Diminishing Zero Tolerance in School Discipline**
    - Fewer Out-of-School Suspensions
    - Expulsions as a “Last Resort”



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    - **Not Reporting Campus Misconduct that is not Necessarily Violent or Dangerous.**

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# Restorative Justice Liability

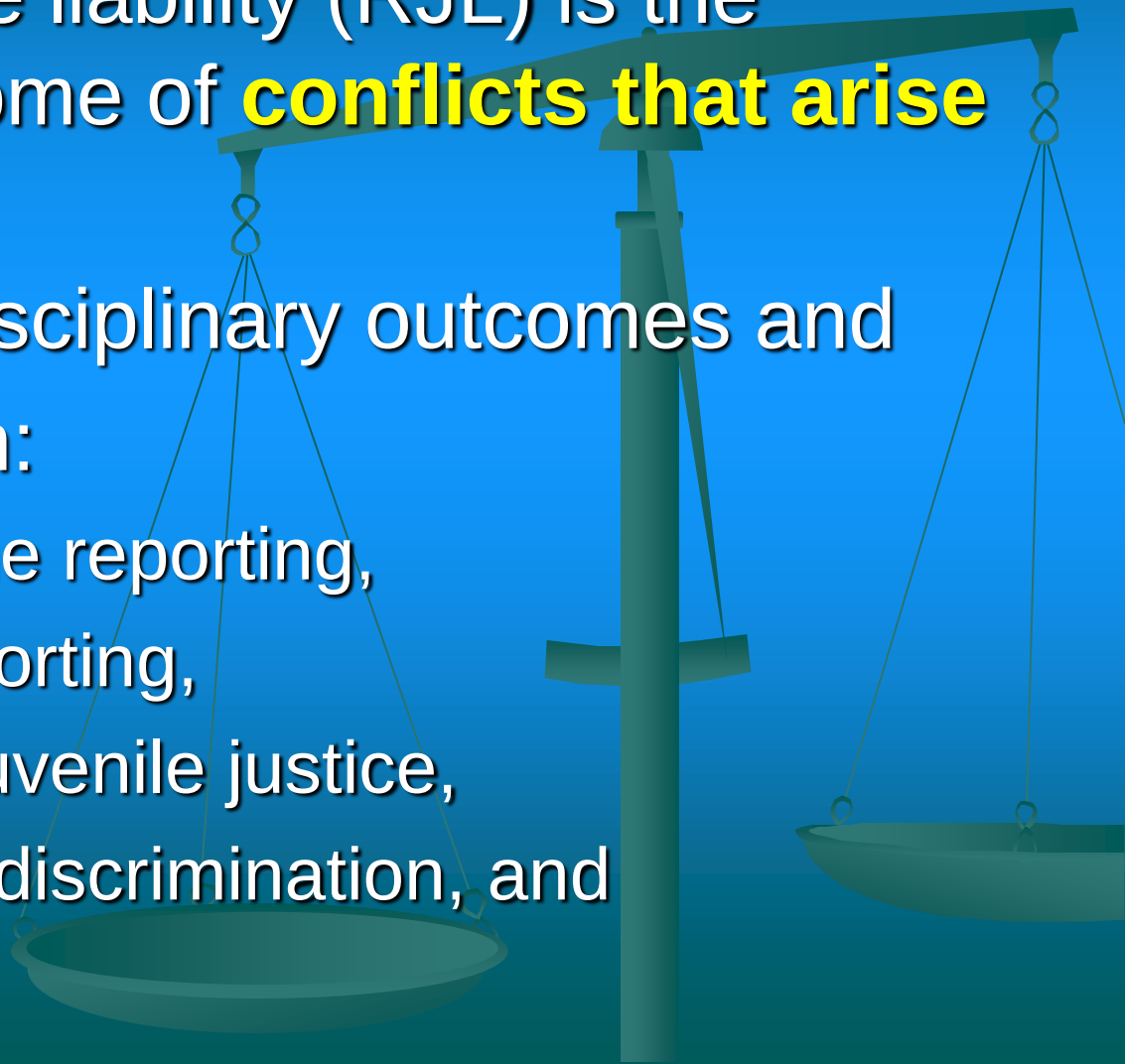
## In Application

- Restorative justice:
  - Alters generally applicable sanctions for similarly situated incidents.
  - Customizes solutions to student misconduct as educators exercise discretion in light of the risk factors and protective factors of the perpetrator(s) and victim(s).

# Restorative Justice Liability

Restorative justice liability (RJL) is the foreseeable outcome of **conflicts that arise between:**

- Discretionary disciplinary outcomes and
- Existing laws on:
  - mandatory crime reporting,
  - child abuse reporting,
  - obstruction of juvenile justice,
  - prohibitions on discrimination, and
  - victims' rights.



# Restorative Justice Liability

**Two forms** of restorative justice liability are emerging from the research:

- **Public Law RJL**:

  Failure of educators, while exercising discretion in discipline cases, to factor in the affirmative duties imposed by constitutional and statutory laws.

# Smith v. State
## 8 N.E.3d 668 (2014)

- Conviction of school administrator for crime by obstructing justice for **failure to report campus incident as required by law**.

# Restorative Justice Liability

**Two forms** of restorative justice liability are emerging from the research:

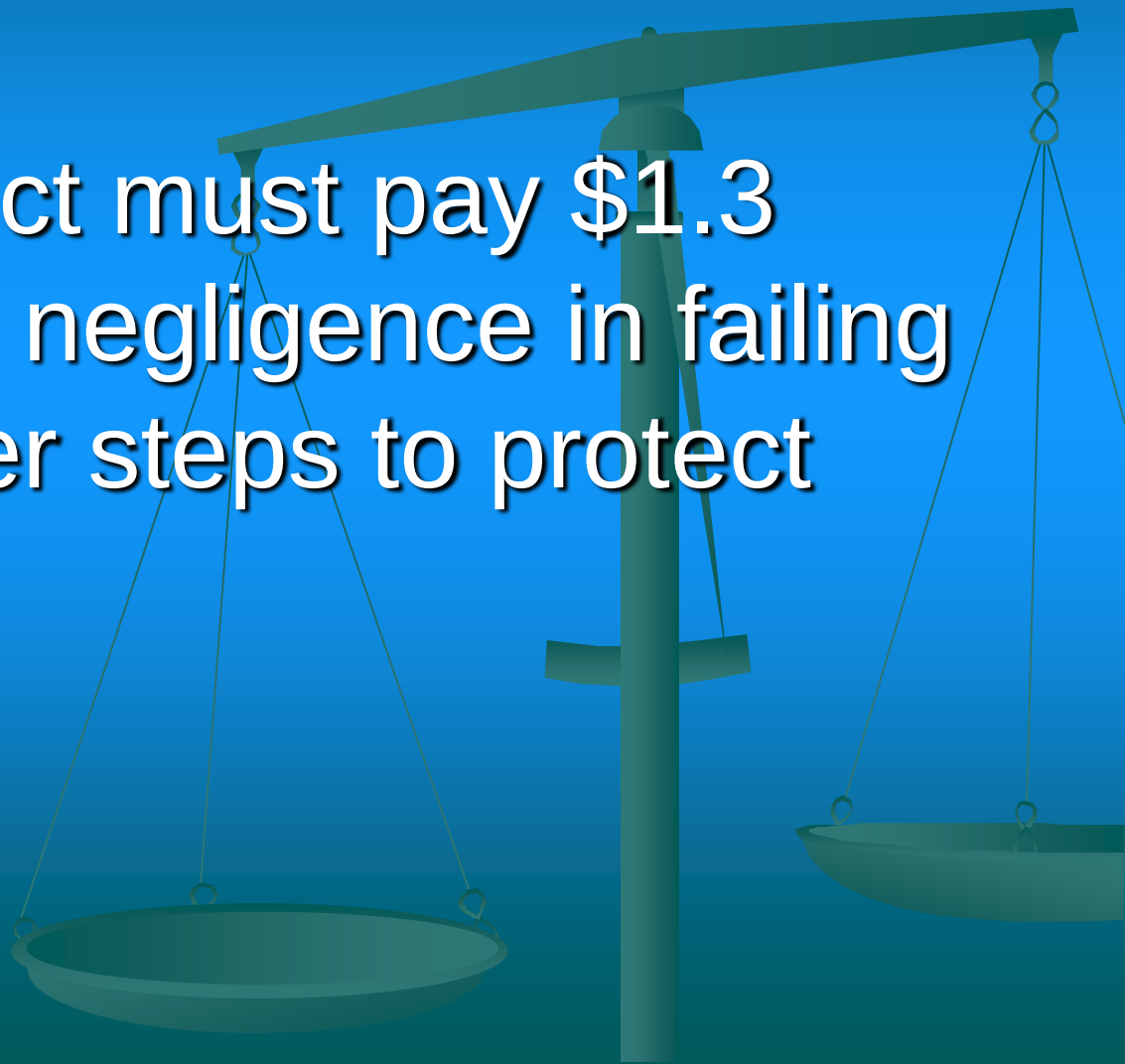
- **Common Law RJL**:

  Civil cases that reject restorative justice as a defense in lawsuits filed by victims of school violence.

# Smith v. Snohomish School District
## 2014 WL 1641050 (2014)

Jury verdict:

- School District must pay $1.3 million for its negligence in failing to take proper steps to protect students.



# LIABILITY

**CHRISTOPHER SMITH v.**
**STATE OF INDIANA**

**Supreme Court of Indiana**

**March 27, 2014**

- **8 N.E.3d 668**

# SMITH v. STATE OF INDIANA

## Facts:

- A high school principal, was **convicted of failing to immediately report crime** after being informed that a 16-year-old student reported that she had been raped by another student of the same age.
- Misconduct was in a **bathroom at the school**.
- Principal **waited 4 hours** before making report.

# SMITH v. STATE OF INDIANA

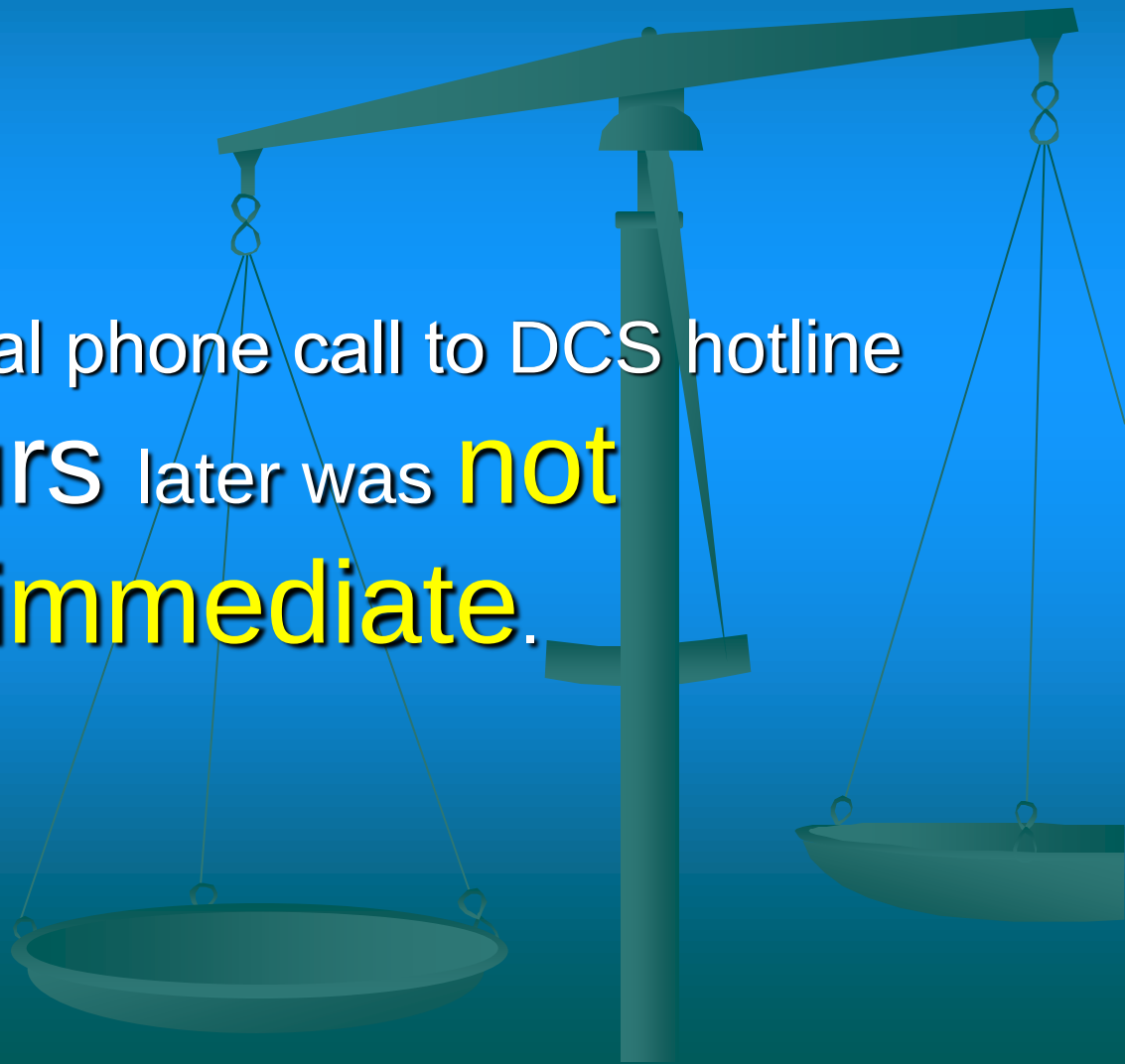
**Ruling**:

- State Law's use of word "immediately" was not vague.
- Principal's phone call to a private youth center did not satisfy his responsibility to immediately notify either:
  - The Department of Child Services (DCS) or
  - A law enforcement agency.

# SMITH v. STATE OF INDIANA

**Ruling**:

- Principal's eventual phone call to DCS hotline four (4) hours later was not sufficiently immediate.



# SMITH v. STATE OF INDIANA

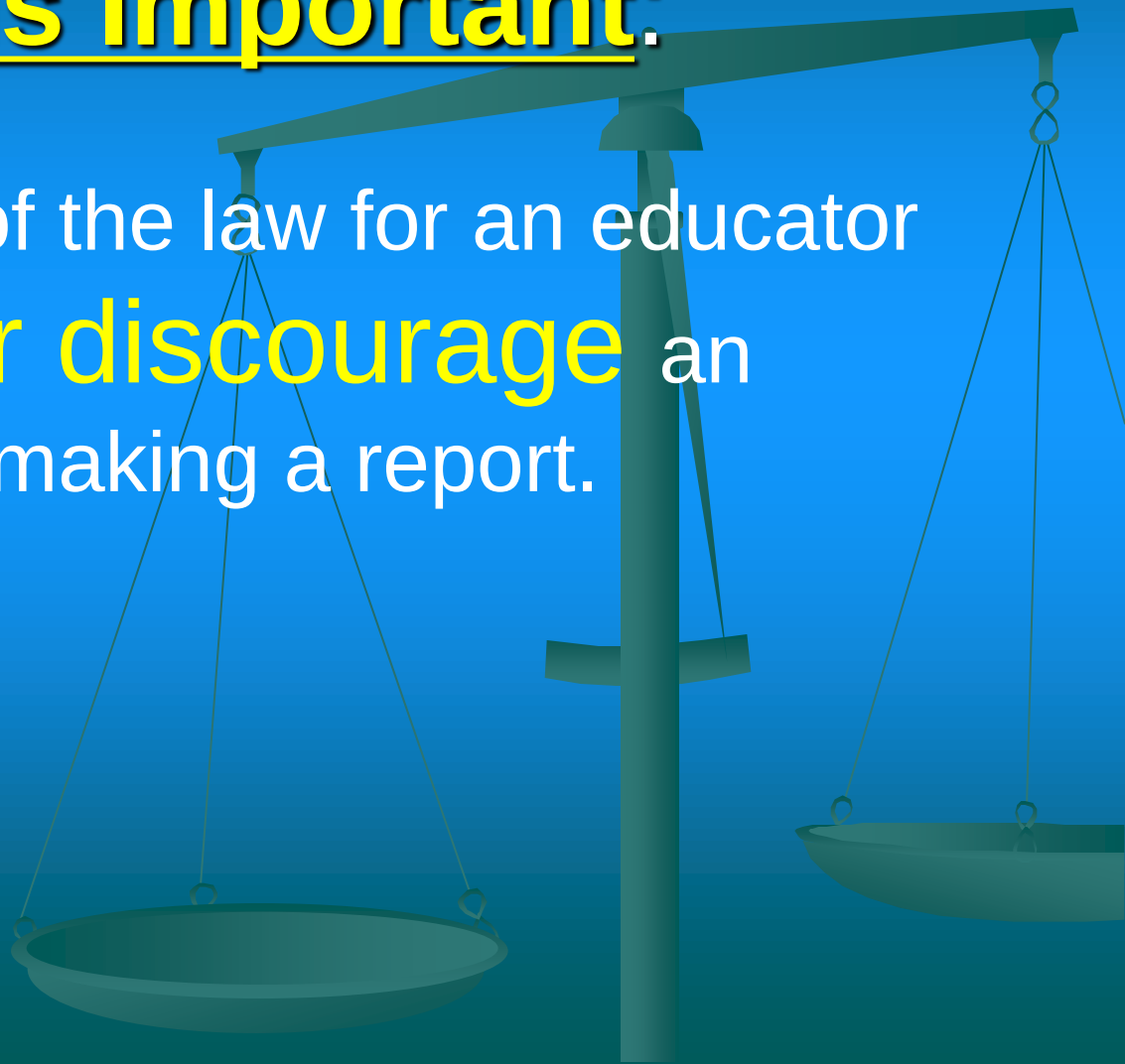
## Why CASE is Important:

- Reporting of crime on campus is **not a discretionary task** for educators.
- Regardless of any policies within the school district, the educator is not relieved of the responsibility to report.

# SMITH v. STATE OF INDIANA

## Why CASE is Important:

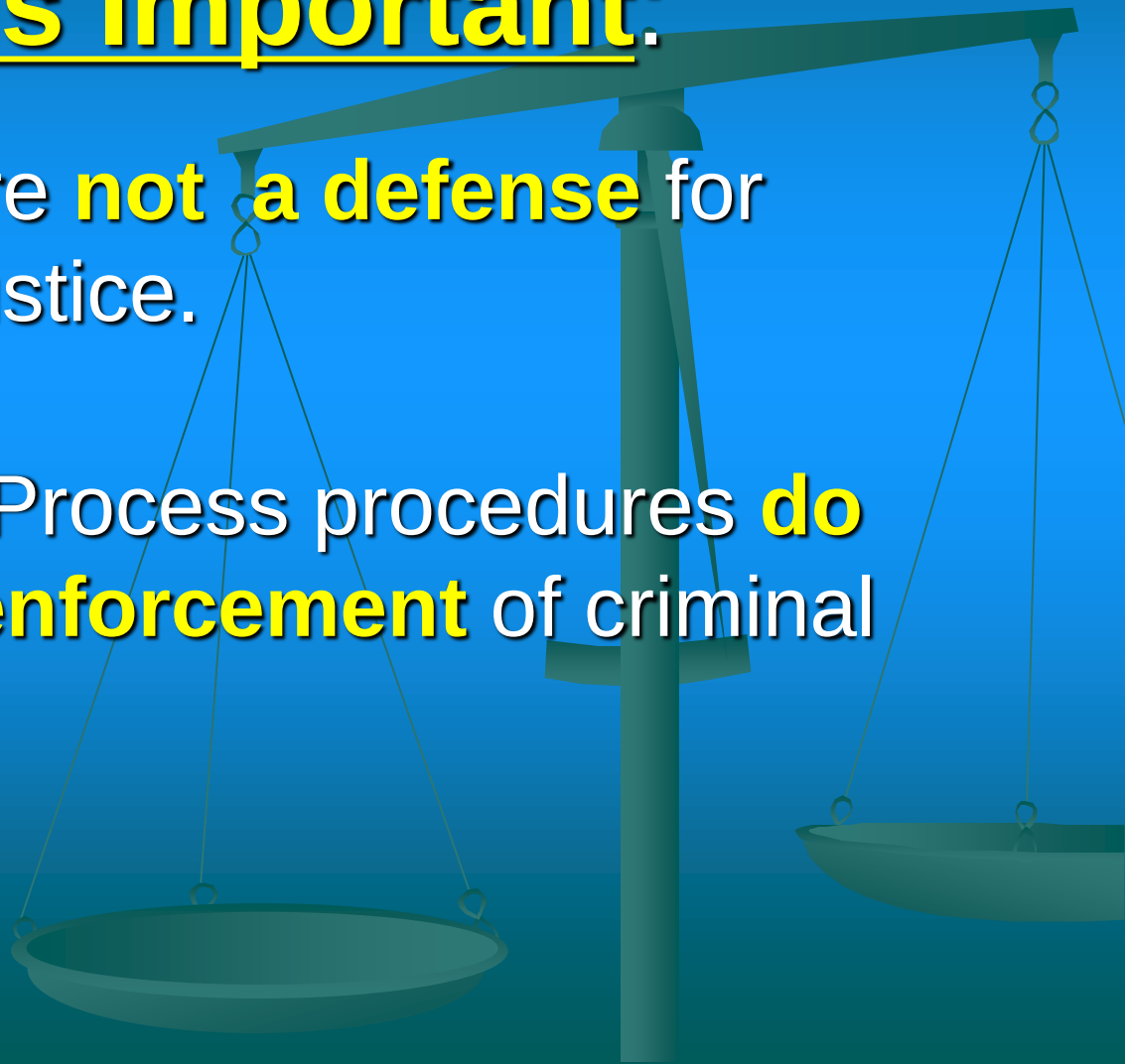
- It is a violation of the law for an educator to prevent or discourage an employee from making a report.



# SMITH v. STATE OF INDIANA

## Why CASE is Important:

- School Rules are **not a defense** for obstruction of justice.
- Education Due Process procedures **do not affect the enforcement** of criminal laws.



# SMITH v. STATE OF INDIANA

## Why CASE is Important:

- Every State and Territory has statutes that require educators to report suspected child victimization and abuse.

# Educators and Reluctance to Report to Other Agencies

- **Misunderstanding of Law**
  - An "abused" child is one who has been either
    - sexually abused,
    - physically injured, or
    - psychologically injured.

# Educators and Reluctance to Report to Other Agencies

- **Misunderstanding of Law**
  - A "neglected" child is one:
    - Who has been abandoned by his or her parents,
    - Who is without the level of control or subsistence as required by the child's needs, or
    - Whose parents are unable to properly provide care as a result of their incapacity.

# Educators and Reluctance to Report to Other Agencies

- **Misunderstanding of Law**
  - Teachers and school officials have no obligation to investigate suspected neglect or abuse.
  - They should simply report any suspicions of abuse.
  - Immunity protects all reporters.

# Educators and Reluctance to Report to Other Agencies

- **Misunderstanding of Law**
  - All persons are mandated reporters.
    - teachers,
    - school officials
    - school nurses
    - school counselors
    - any other person with school duties.

# Educators and Reluctance to Report to Other Agencies

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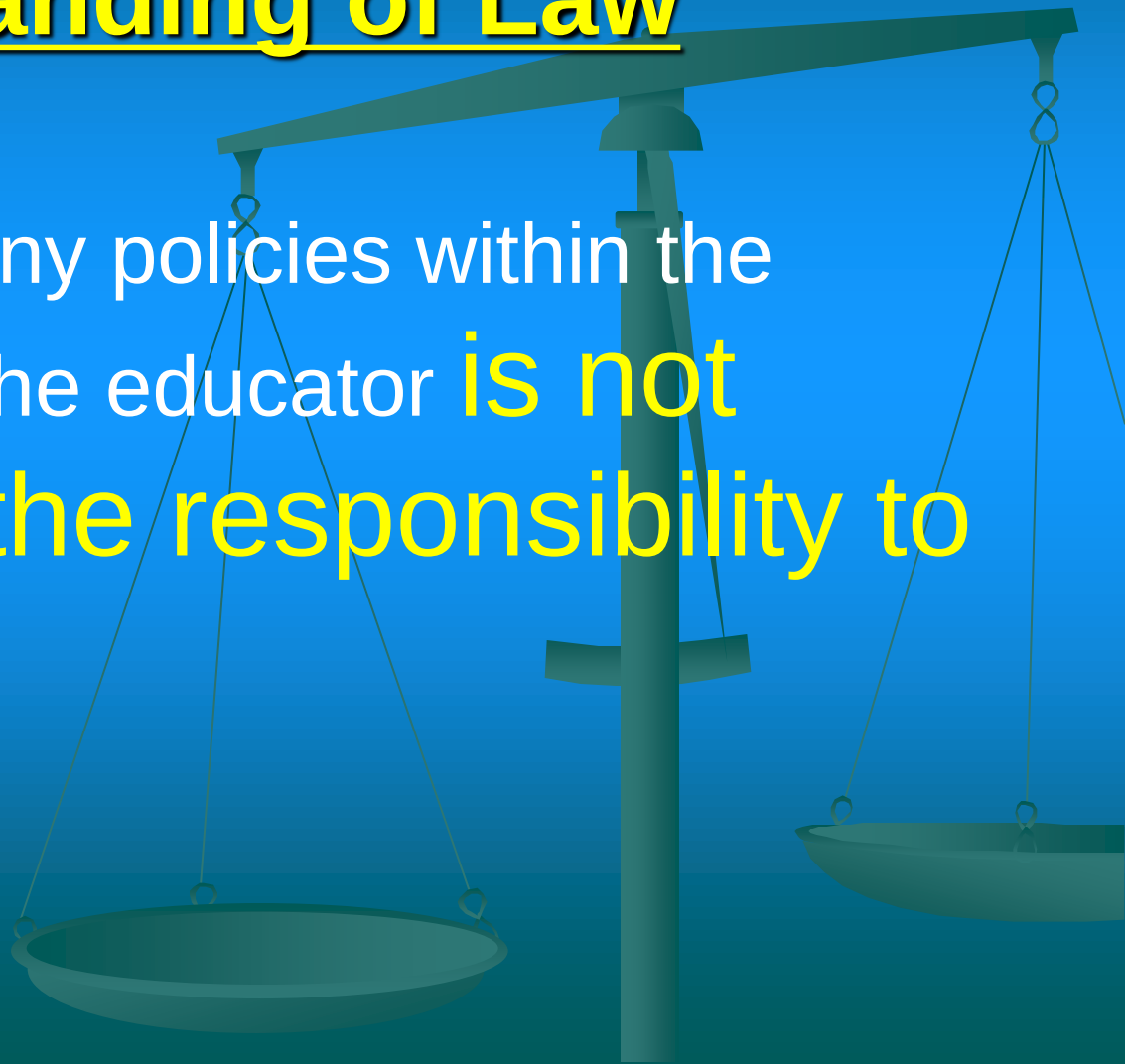
- Regardless of any policies within the school district, the educator is not relieved of the responsibility to report.



# LIABILITY

## SMITH v. SNOHOMISH SCHOOL DISTRICT

## Superior Court of Washington

**APRIL 11, 2014**

- **2014 WL 1641050**

**Note: WL means ‘WestLaw‘**

# SMITH v. SNOHOMISH SCHOOL DISTRICT

## Facts:

- A stabbing occurred **on-campus in a downstairs bathroom** near the cafeteria in the morning before school started.

- The girl behind the attack came to school that day with knives in her backpack. She **waited in a bathroom stall** and apparently picked her victims at random. **Two students** were attacked.

# SMITH v. SNOHOMISH SCHOOL DISTRICT

## Facts:

- The girl told school officials in spring 2011 that she was having fantasies about killing others.

- She was expelled from school in April 2011 after she threatened to stab another student, court papers said. School officials allowed her to return to school after eight (8) days of out-patient professional counseling.

# SMITH v. SNOHOMISH SCHOOL DISTRICT

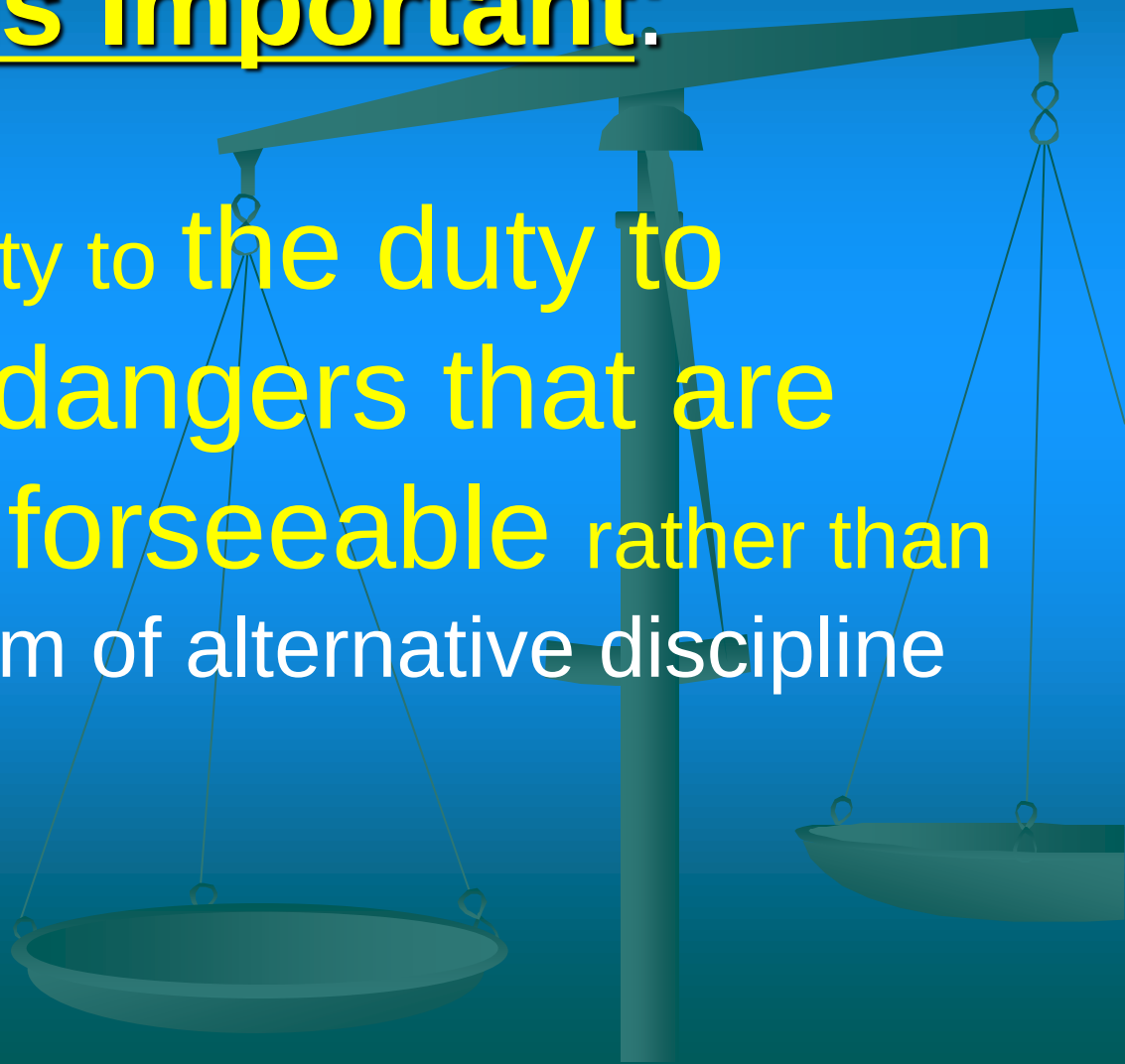
**RULING**:

- a jury decided the Snohomish School District must pay **$1.3 million** for its negligence in failing to take proper steps to protect students.

# SMITH v. SNOHOMISH SCHOOL DISTRICT

## Why CASE is Important:

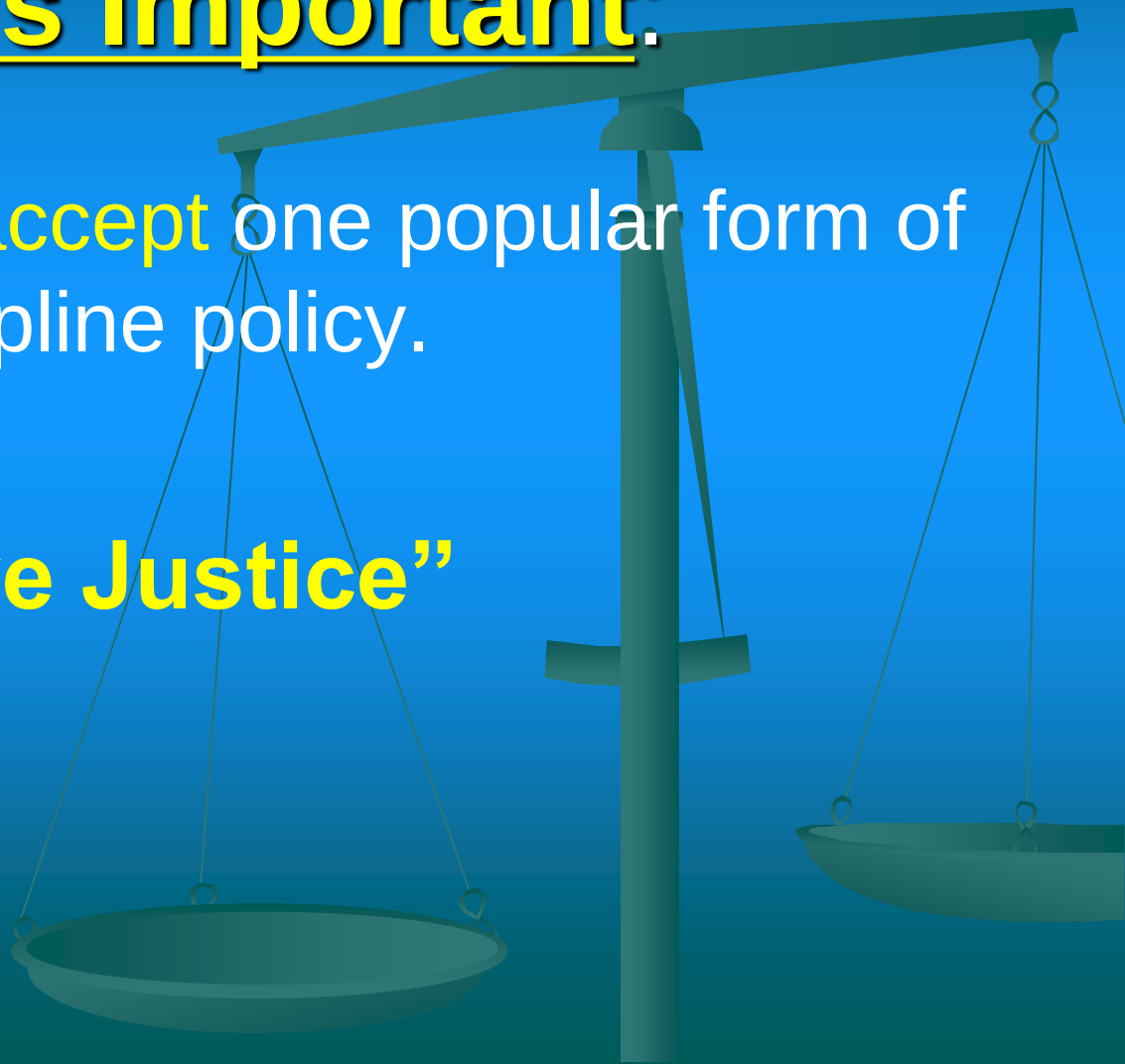
- Jury gives priority to the duty to respond to dangers that are reasonably forseeable rather than an emerging form of alternative discipline policy.



# SMITH v. SNOHOMISH SCHOOL DISTRICT

## Why CASE is Important:

- Jury refusal to accept one popular form of alternative discipline policy.
  - **"Restorative Justice"**



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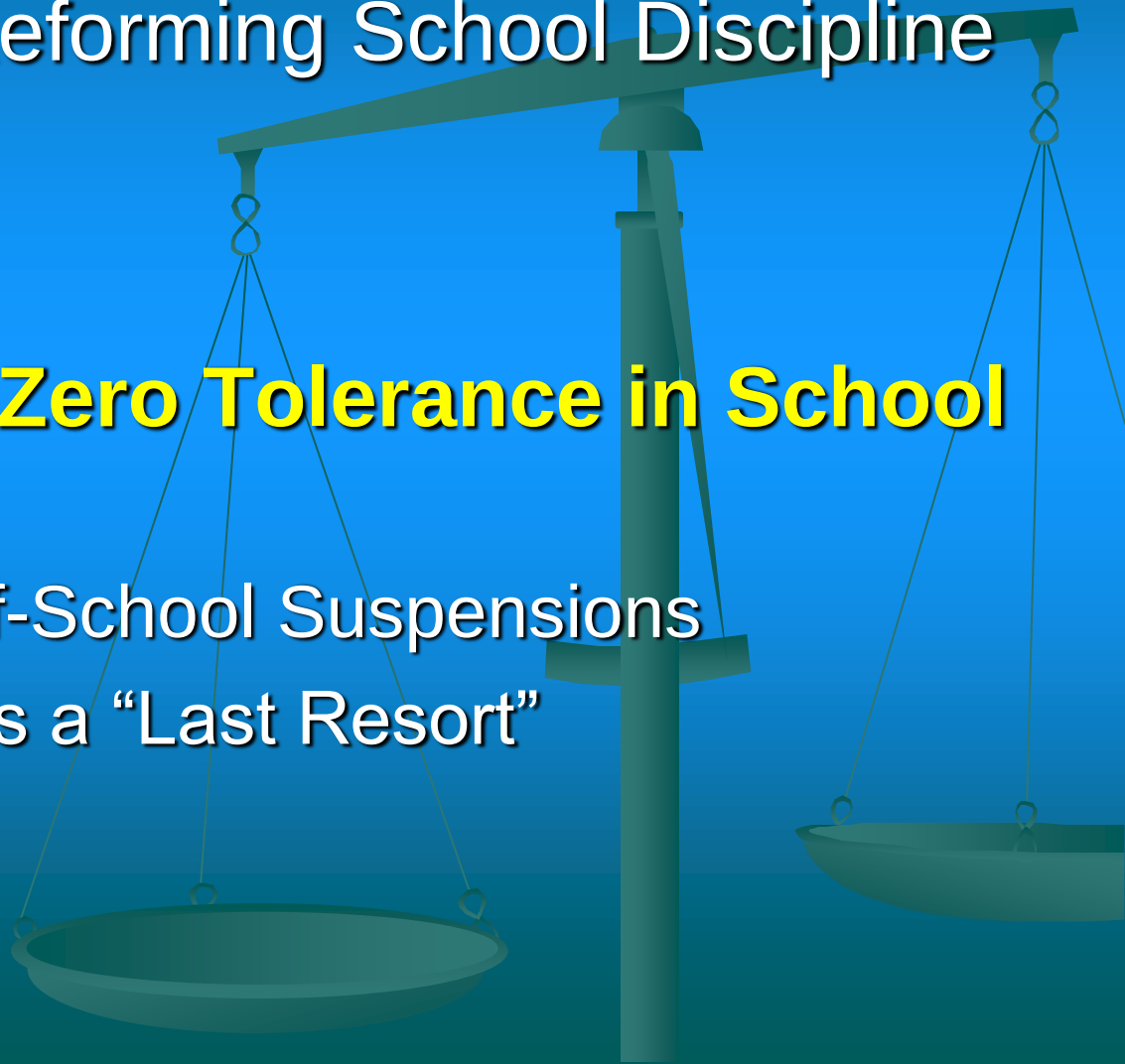

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# SMITH v. SNOHOMISH SCHOOL DISTRICT

## Why CASE is Important:

- The School district defended by saying it **was confused** about how to implement its own policies.
  - "The question in this case is how does a [school] district **strike a balance** between safety and the rights of all children to an education?"

Snohomish School District Trial Documents

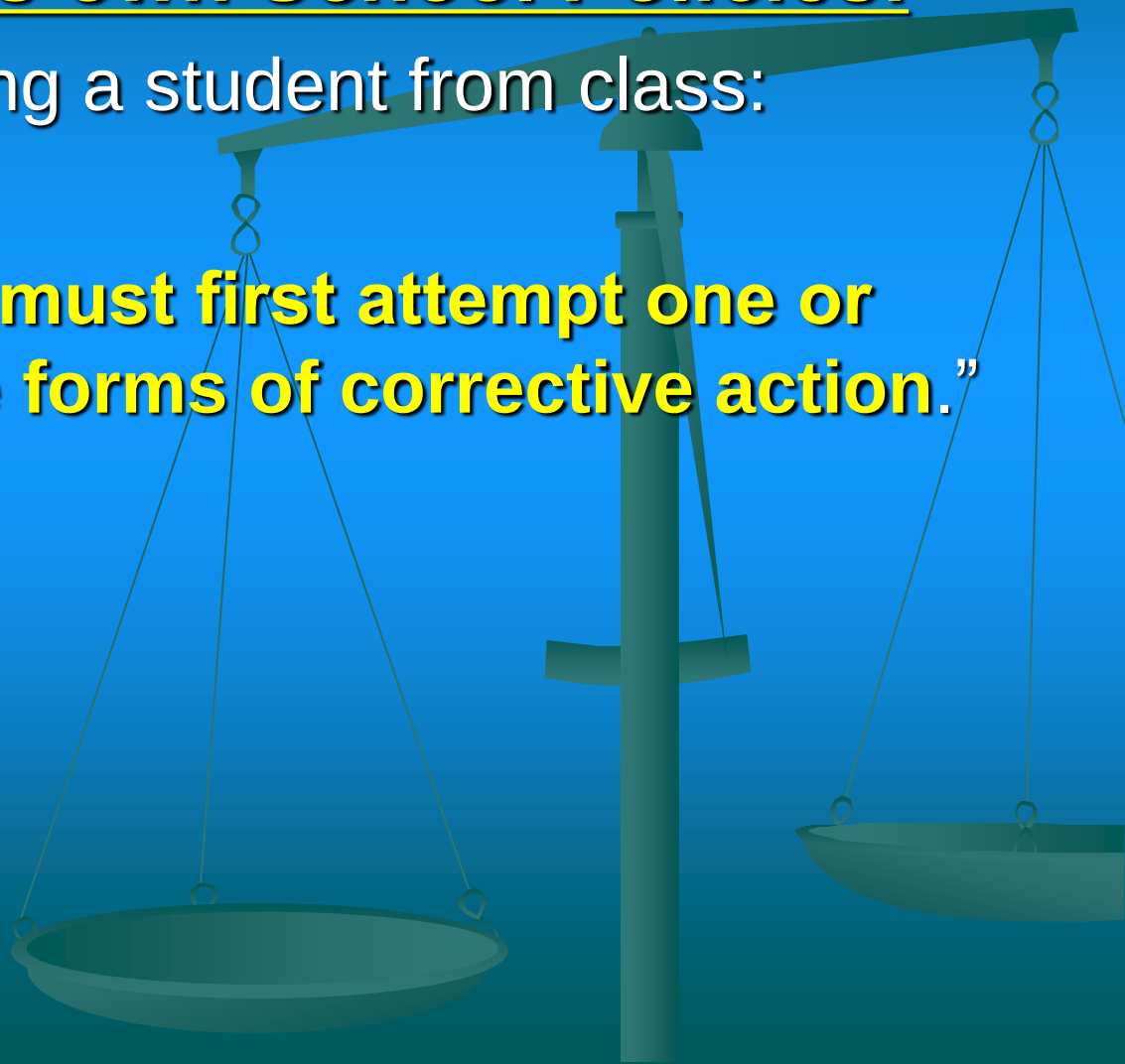
# Snohomish School District

- **Confused by its own School Policies:**
  - Schools have a **duty to keep a child in school**.
  - **But**, School districts are encouraged to find **alternatives to suspension**.
  - Discipline should be be **progressive in nature**.
  - But, expulsion should be used **in an emergency only** – when there is an immediate and continuing danger to the students and then only **until the emergency subsides**.

# Snohomish School District

- **Confused by its own School Policies:**
  - Prior to excluding a student from class:

**--- “the teacher must first attempt one or more alternative forms of corrective action.”**



# Snohomish School District

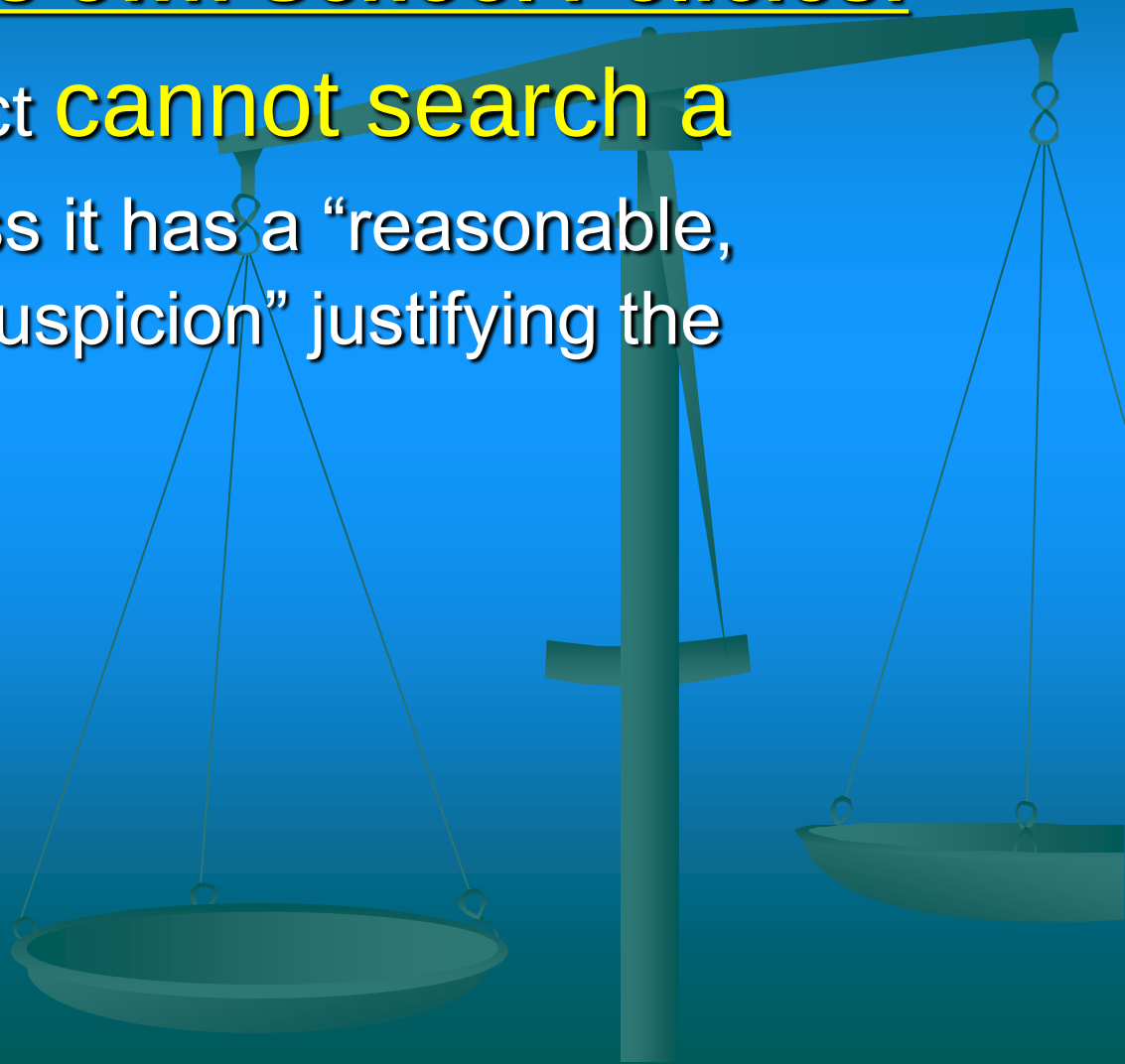
- **Confused by its own School Policies:**
  - "**No student shall be expelled** unless other forms of discipline (corrective action, exclusion, detention), short term and long term suspension reasonably calculated to modify his or her conduct have failed unless there is good reason to believe that other forms of corrective action or consequence would fail if employed."

# Snohomish School District

- **Confused by its own School Policies:**
  - "Students 13 years and older have **confidentiality rights in records** regarding drug, alcohol and mental health treatment."

# Snohomish School District

- **Confused by its own School Policies:**
  - "A school district cannot search a student unless it has a "reasonable, individualized suspicion" justifying the search."



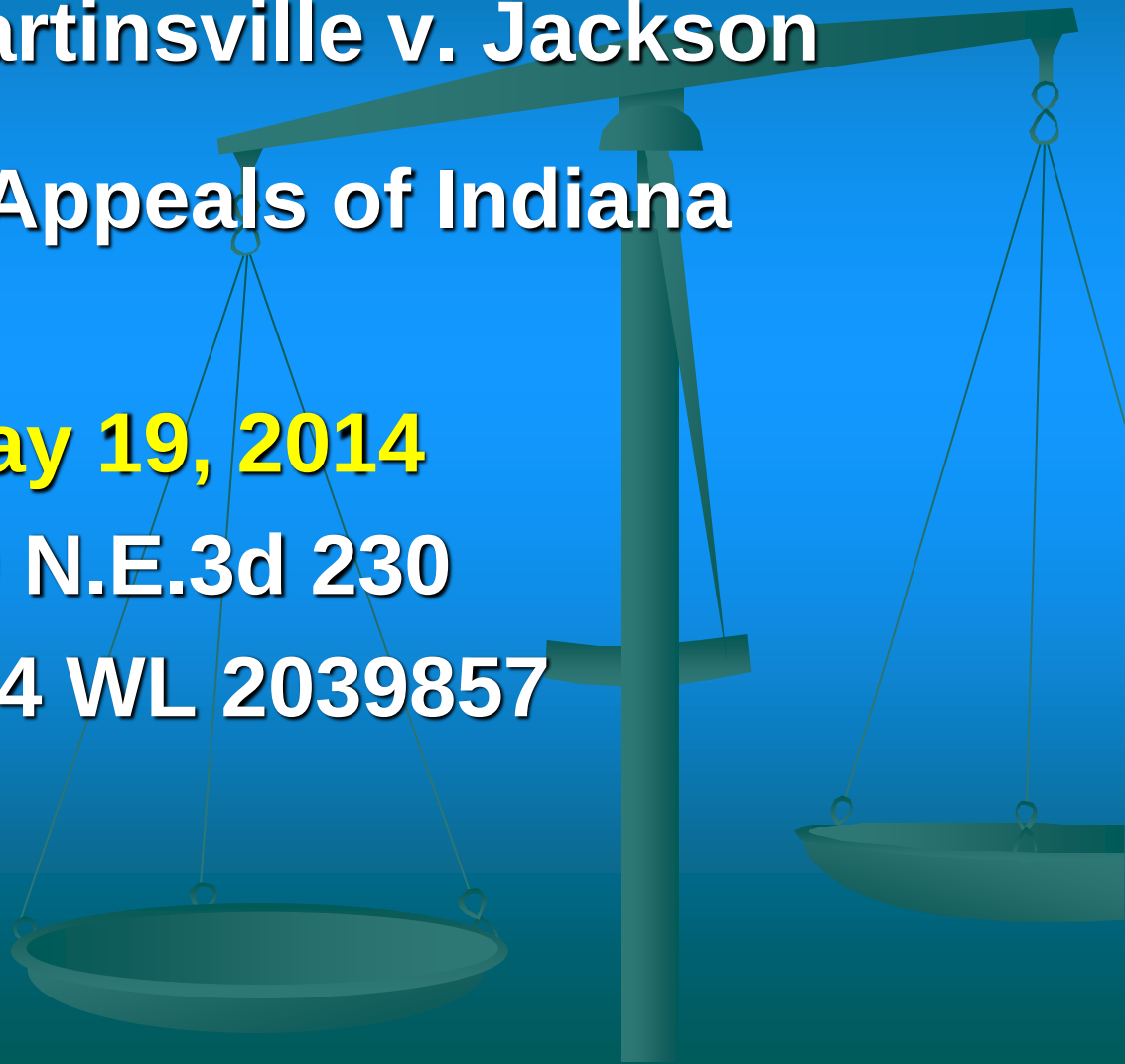
# LIABILITY

## M.S.D. of Martinsville v. Jackson

## Court of Appeals of Indiana

**May 19, 2014**

- 9 N.E.3d 230
- 2014 WL 2039857

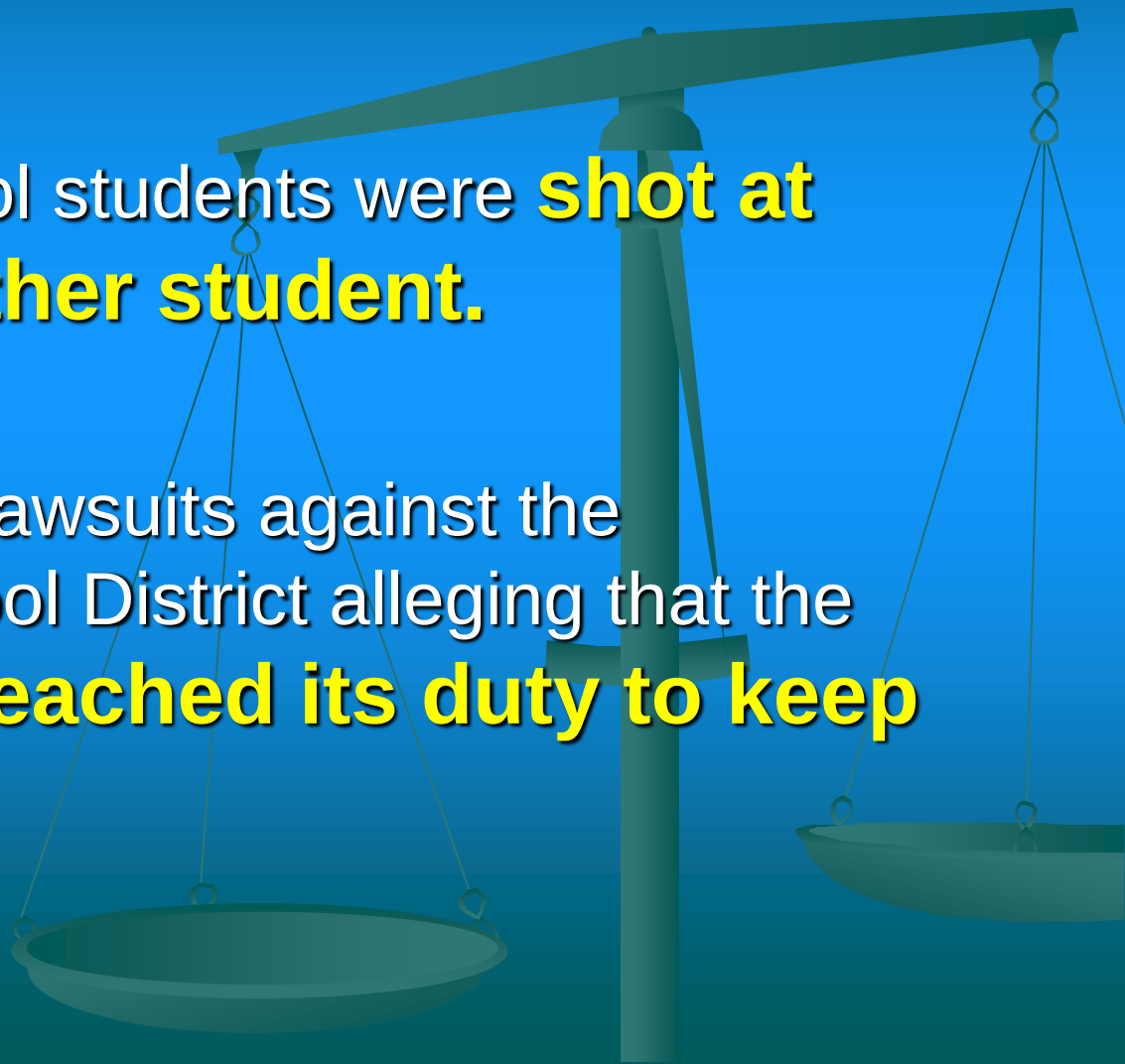


# M.S.D. of Martinsville v. Jackson

## Facts:

- Two Middle School students were **shot at school by another student.**

- Each Victim filed lawsuits against the Metropolitan School District alleging that the School District **breached its duty to keep them safe.**



# M.S.D. of Martinsville v. Jackson

## Facts:

- The shooter was never expelled, although his disciplinary record was the following:
  - Fifty (50) discipline referrals:
    - Forty-three (43) of which were for disrespect toward school personnel or failure to follow school rules.
    - Seven (7) discipline referrals for harassing, threatening, and physically assaulting other students.

# M.S.D. of Martinsville v. Jackson

## Facts:

- Five (5) weeks before the shooting, the shooter commented to some of his classmates that he wanted to **"just blow up the school."**
- The school barred from entering school property **except to take the ISTEP test**.
- His mother withdrew him from school as **expulsion proceedings finally began**.

# M.S.D. of Martinsville v. Jackson

**RULING**:

- The Indiana Court of Appeals ruled that **a school district is not entitled to immunity** for injuries to a student that are **reasonably foreseeable**. Indiana educators have a "special duty," to supervise students.

# M.S.D. of Martinsville v. Jackson

**RULING**:

- The Indiana Court of Appeals ruled that **educators have a "special duty," to supervise students.**

# M.S.D. of Martinsville v. Jackson

## Why CASE is Important:

- Implementing a school safety plan on campus is **not a discretionary task** for educators.
- Immunity from suit for educators is **being taken away** in the area of school safety.

# M.S.D. of Martinsville v. Jackson

- "Principal Lipps's development of the safety plan …is **not the type of policy-making** that our supreme court has since determined should be exempt from liability."

- "The student's complaint does not allege that the …safety plan was negligently formulated. Rather, it claims that [their injuries] resulted from **negligent implementation of the plan**."

# "Reasonable Forseeability" with Bite:

- "Given these facts, a jury could conclude that it is foreseeable that a shooting would occur:"
  - [The shooter] had a **lengthy history of serious misbehavior** in school;
  - **Threatened** to blow up the school;
  - Was on school grounds, presumably in close proximity to the personnel monitors, for thirty minutes prior to the shooting.
  - He had made threats against C.J., of which at least one teacher was aware.
  - The day before the shooting, another student had made a threat to shoot a teacher.

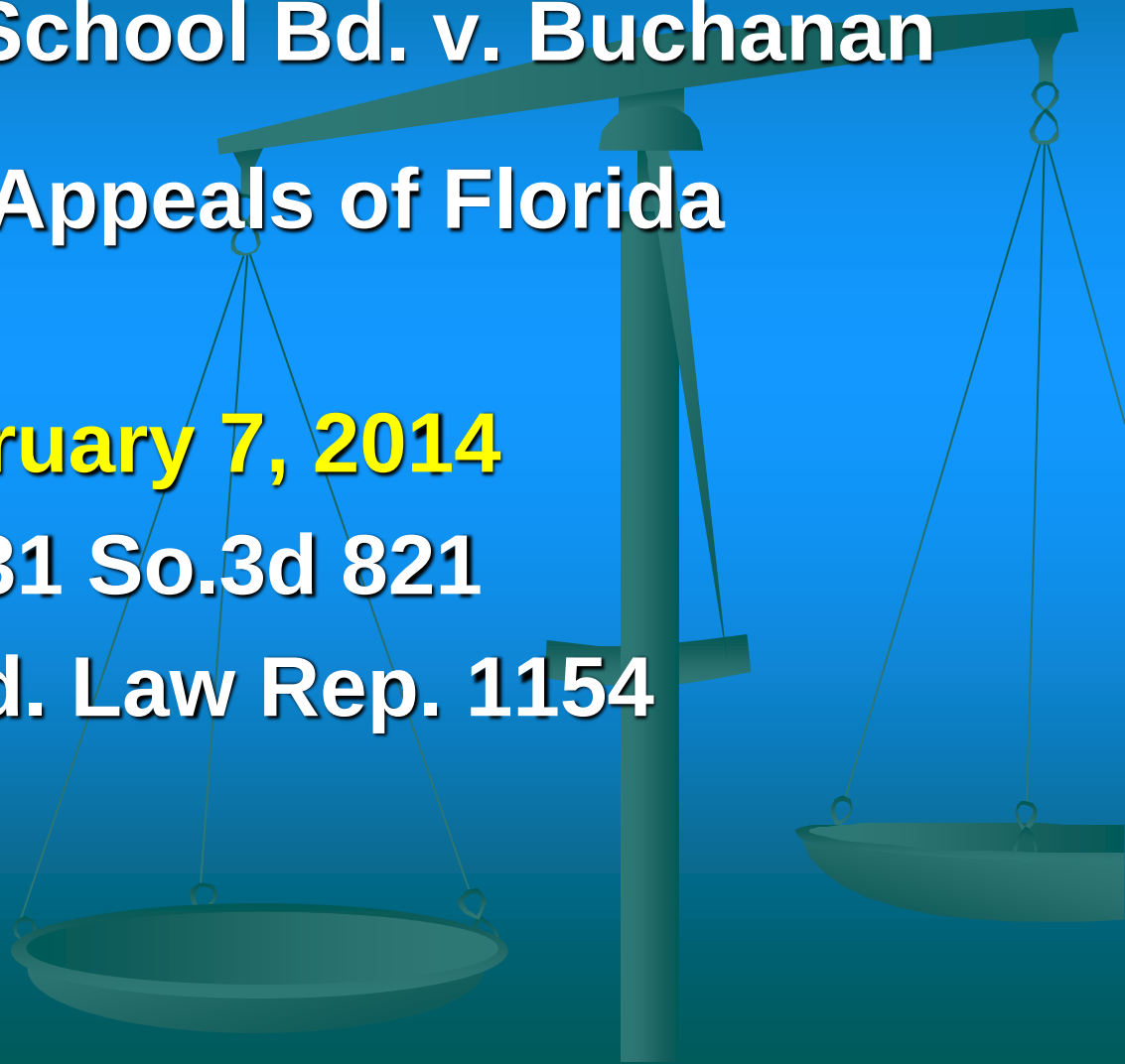
# LIABILITY

## Duval County School Bd. v. Buchanan

## Court of Appeals of Florida

**February 7, 2014**

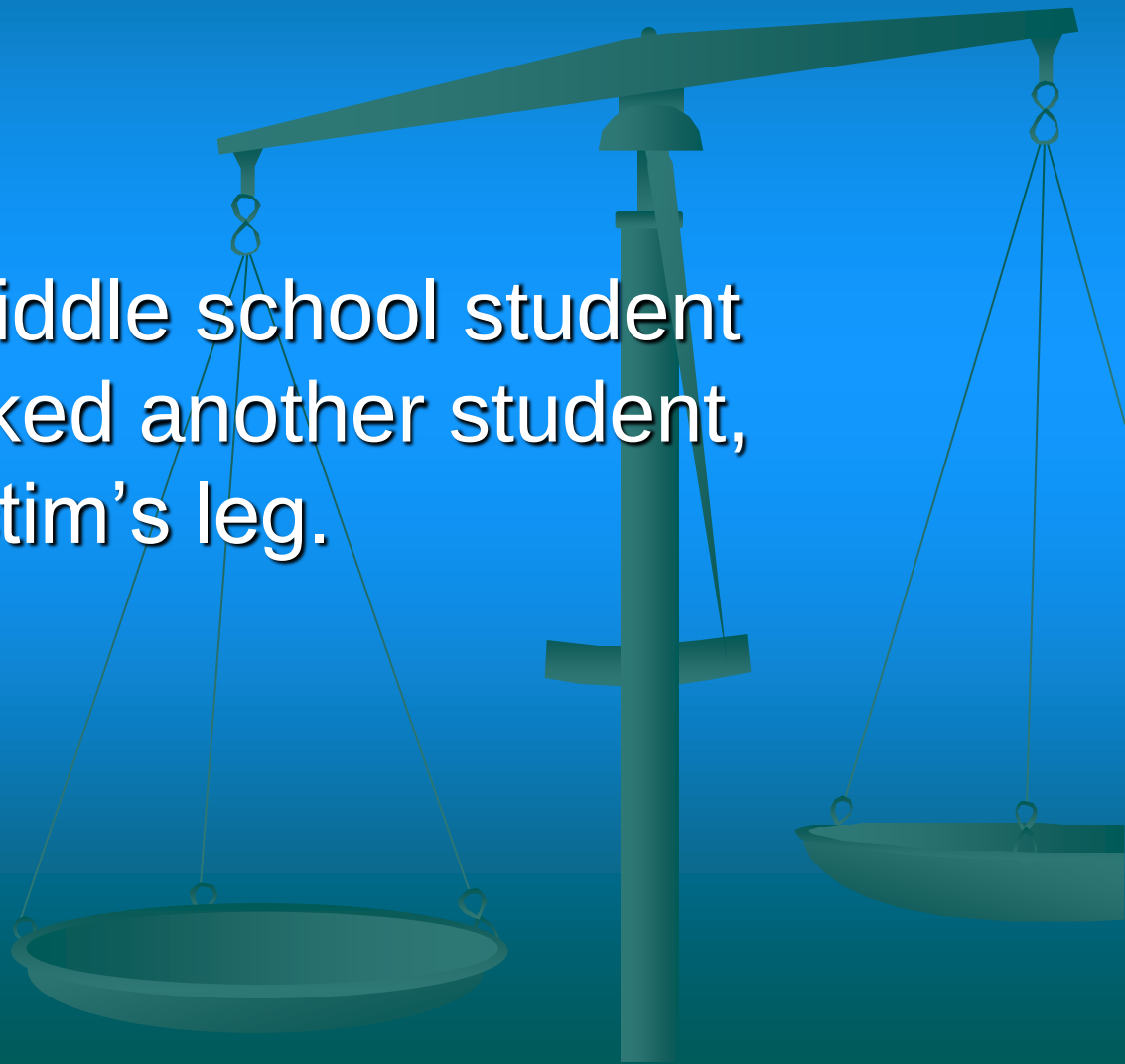
- 131 So.3d 821
- 301 Ed. Law Rep. 1154



# Duval Cty Schools v. Buchanan

## Facts:

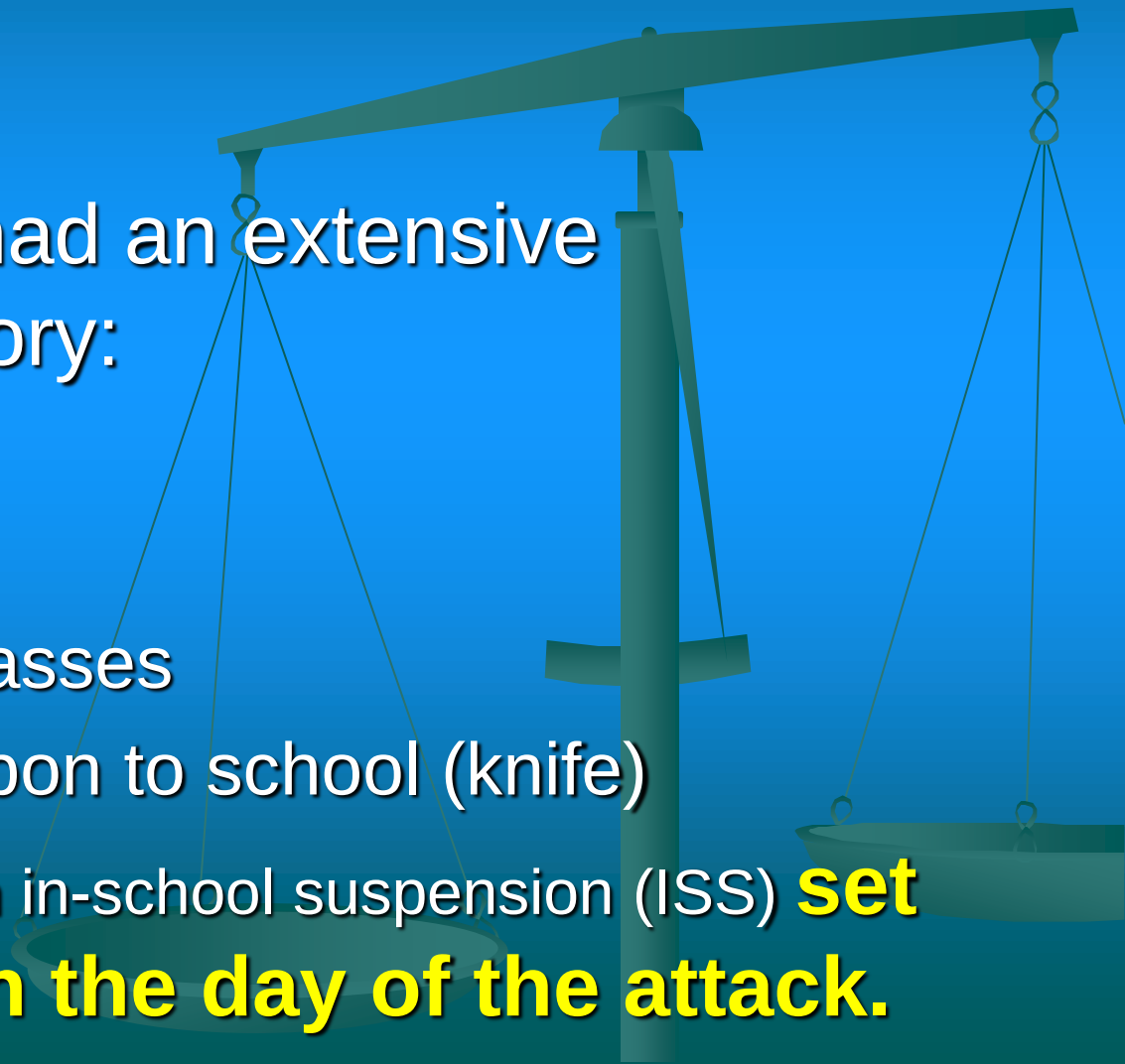
- A sixth grade middle school student physically attacked another student, breaking the victim's leg.



# Duval Cty Schools v. Buchanan

## Facts:

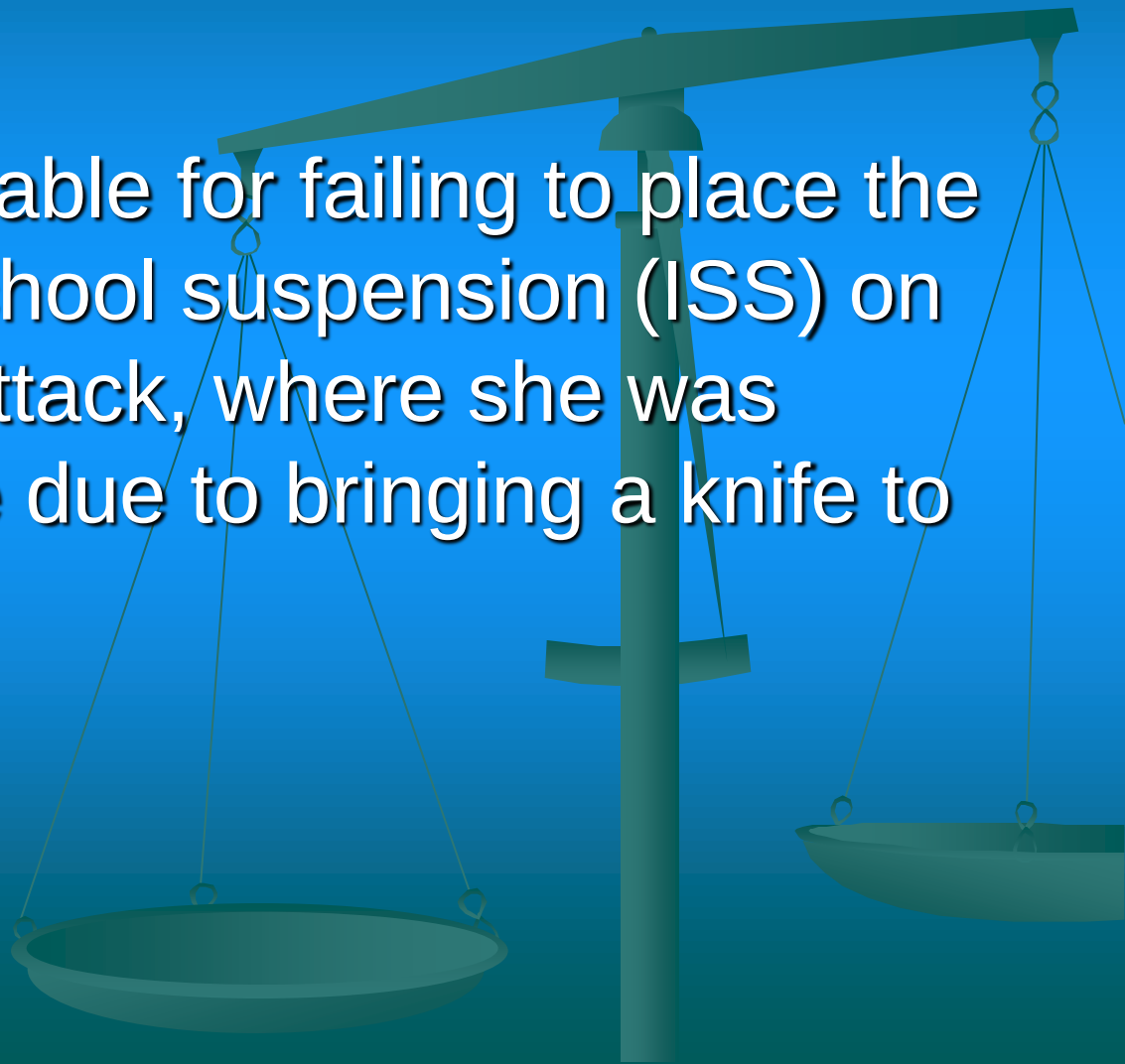
- The attacker—had an extensive disciplinary history:
  - Bullying
  - Fighting
  - Disruption of classes
  - Bringing a weapon to school (knife)
    - punished by an in-school suspension (ISS) **set to begin on the day of the attack.**



# Duval Cty Schools v. Buchanan

**RULING**:

- School district liable for failing to place the attacker in in-school suspension (ISS) on the day of the attack, where she was scheduled to be due to bringing a knife to school.



# Duval Cty Schools v. Buchanan

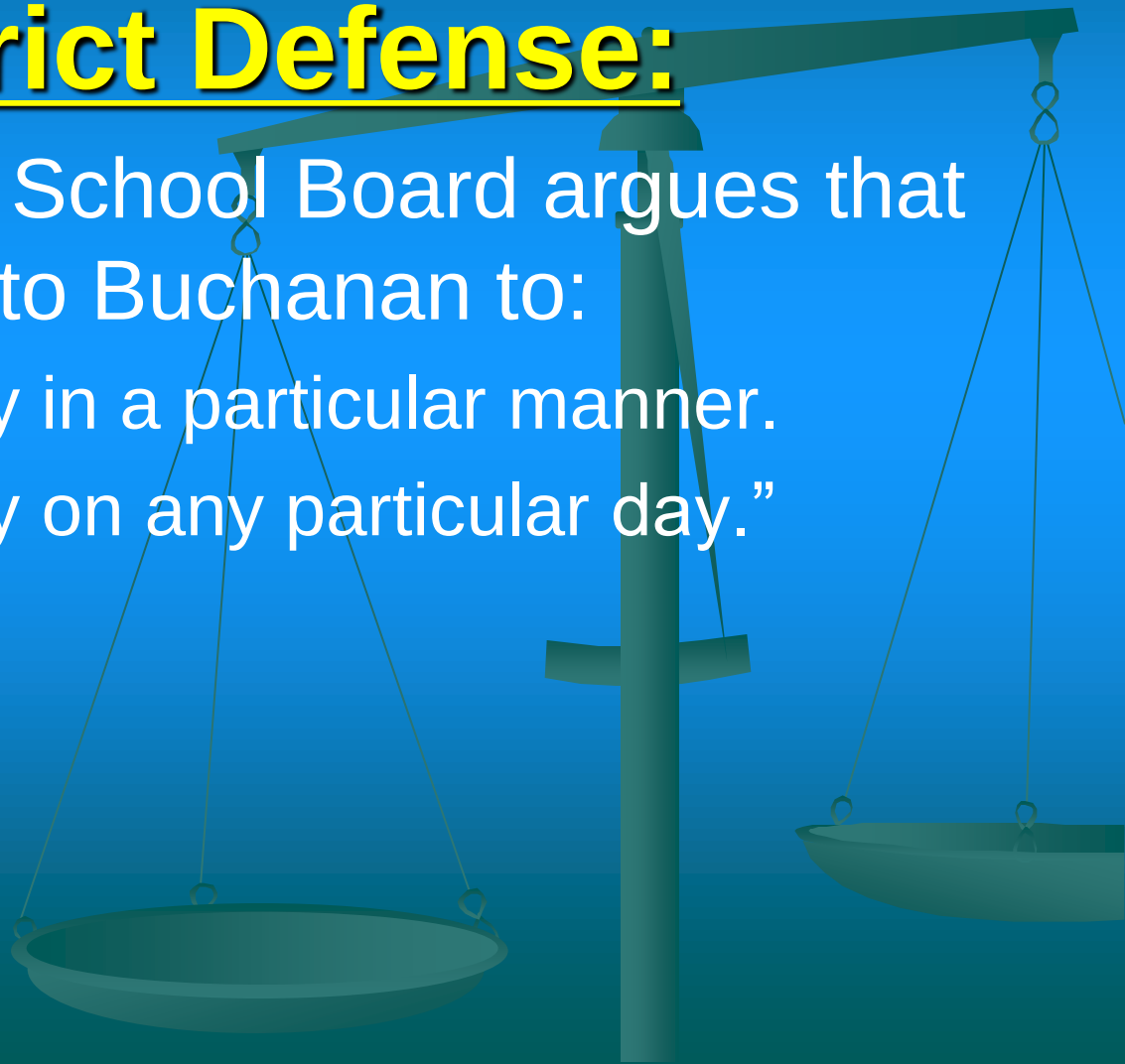
## Why CASE is Important:

- Both the jury and the appellate court **rejected the defense** of the school district that its **forms of discipline are discretionary decisions** that are immune from liability.
- **Victim's rights** are being given more weight in the assessment of reasonable forseeability.

# Duval Cty Schools v. Buchanan

## School District Defense:

- "On appeal, the School Board argues that it owed no duty to Buchanan to:
  - Discipline Terry in a particular manner.
  - Discipline Terry on any particular day."



# LIABILITY

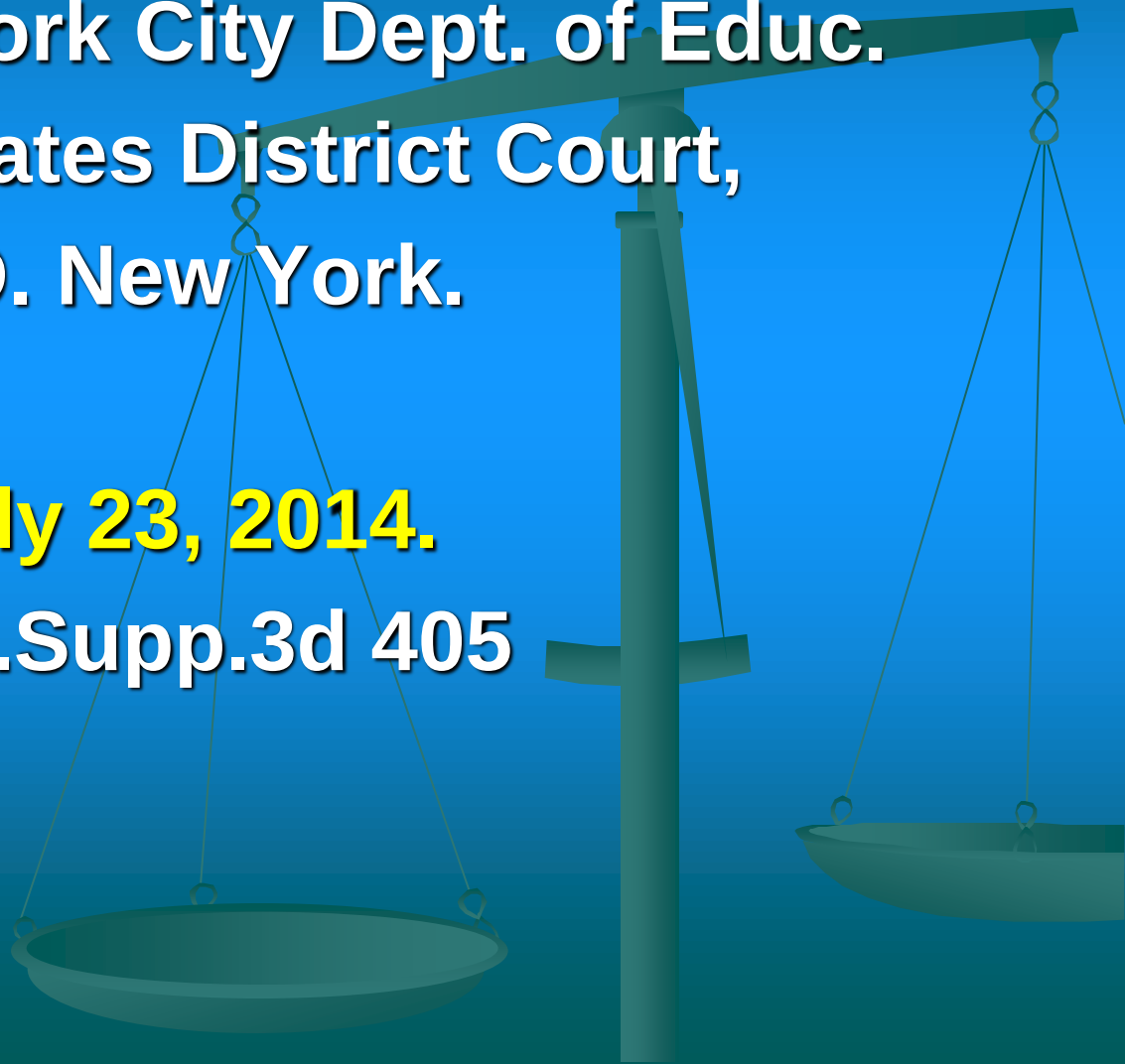
**T.K. v. New York City Dept. of Educ.**

**United States District Court,**

**E.D. New York.**

**July 23, 2014.**

**32 F.Supp.3d 405**

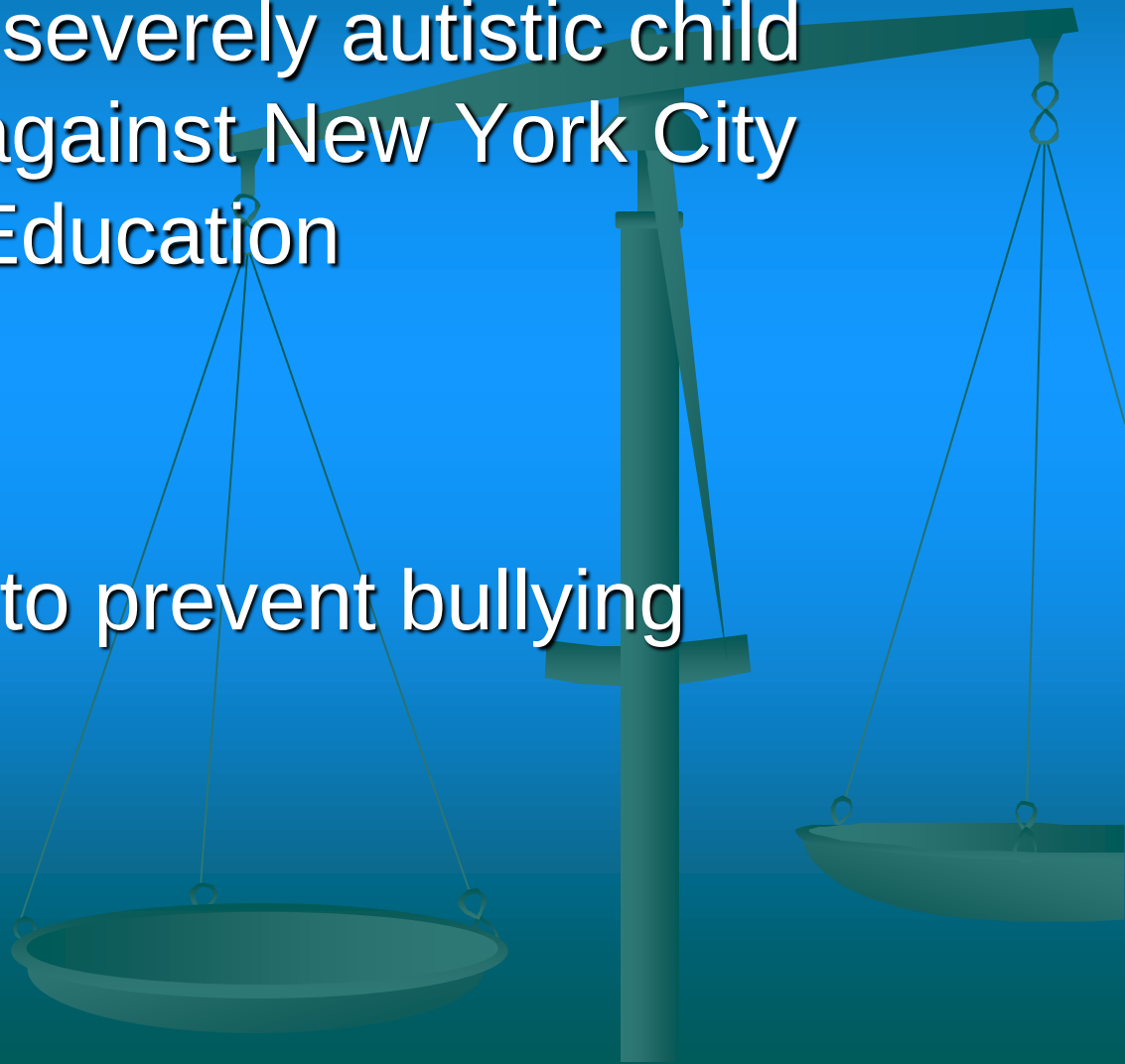


# T.K. v. New York City Department of Education

- Parents of their severely autistic child brought action against New York City Department of Education

**Complaint:**

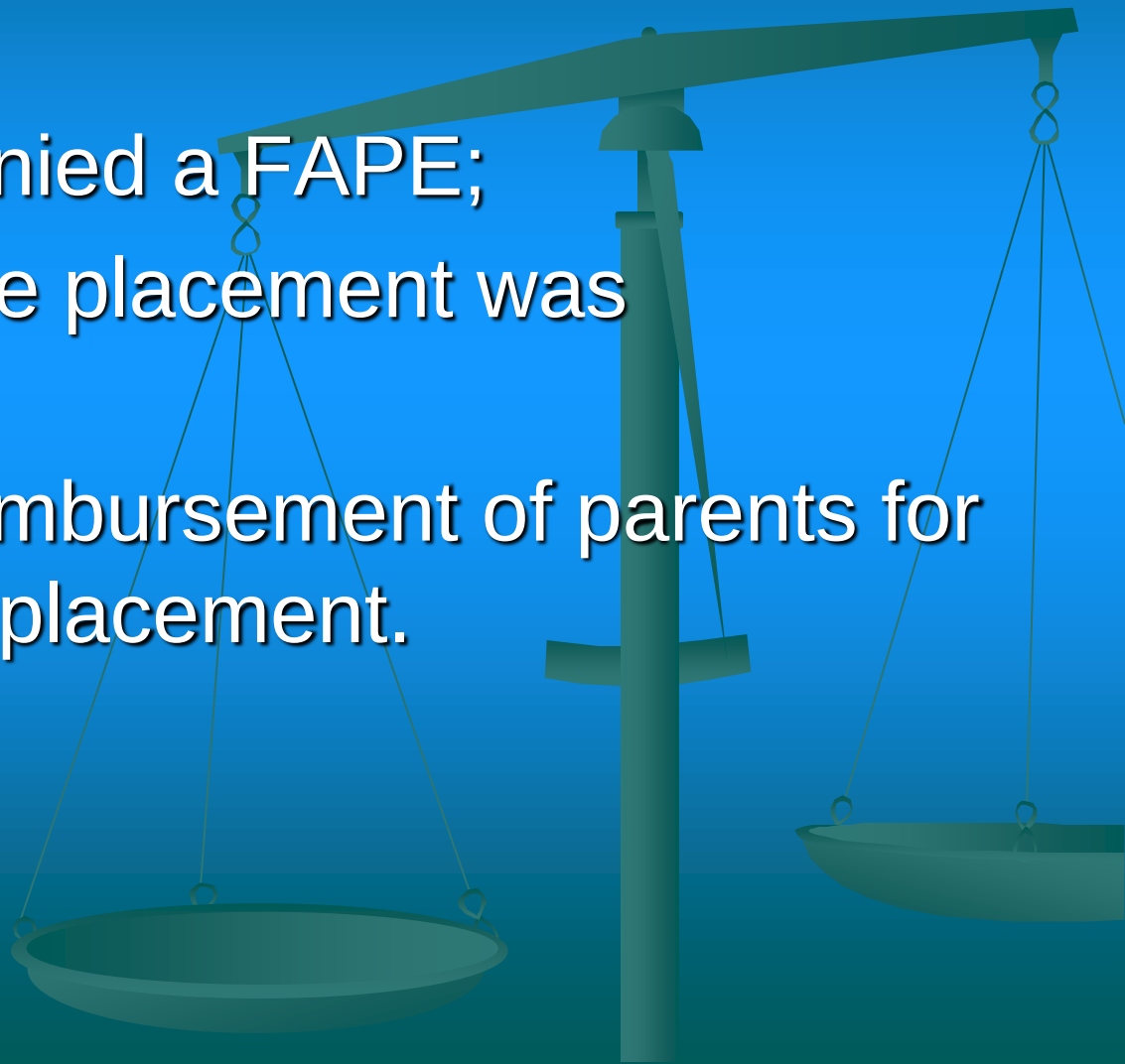
- School's failure to prevent bullying



# T.K. v. New York City Department of Education

**Court:**

- Student was denied a FAPE;
- Unilateral private placement was appropriate.
- School must reimbursement of parents for costs of private placement.



# T.K. v. New York City Department of Education

**Court:**

- "Where there is a legitimate concern that bullying will severely restrict a disabled student's educational opportunities, as a matter of law the individualized education program (IEP) **team is required to consider evidence of bullying in developing an appropriate IEP**."

# T.K. v. New York City Department of Education

**Court:**

- "A school must **take prompt and appropriate action**. It must investigate if the harassment is reported to have occurred. If harassment is found to have occurred, the school **must take appropriate steps to prevent it in the future**."

# T.K. v. New York City Department of Education

**Court:**

- **"These duties of a school exist even if:**
  - the misconduct is covered by its anti-bullying policy, and
  - **regardless of whether the student has complained**, asked the school to take action, or identified the harassment as a form of discrimination."

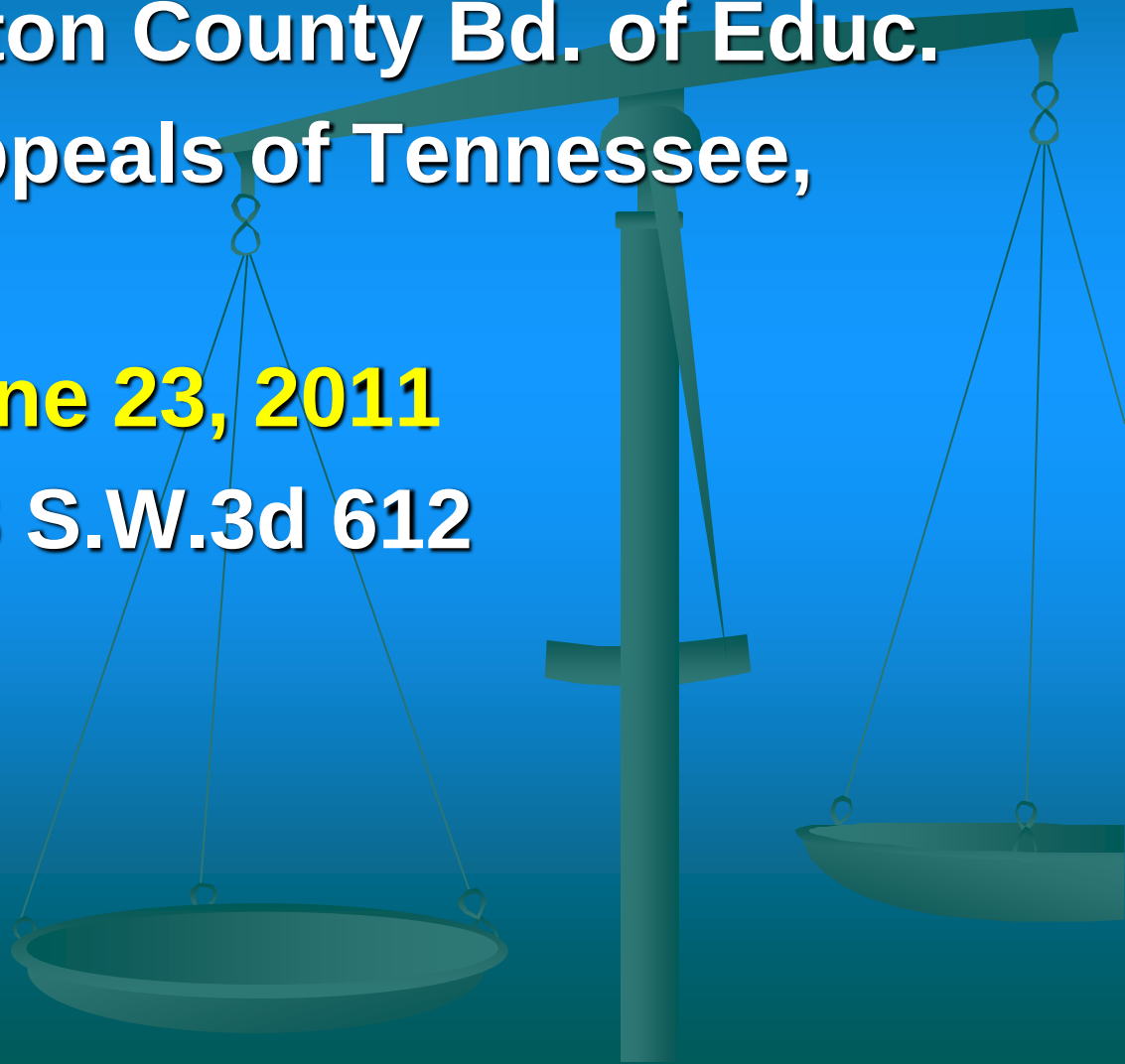
# LIABILITY

**Moore v. Houston County Bd. of Educ.**

**Court of Appeals of Tennessee,**

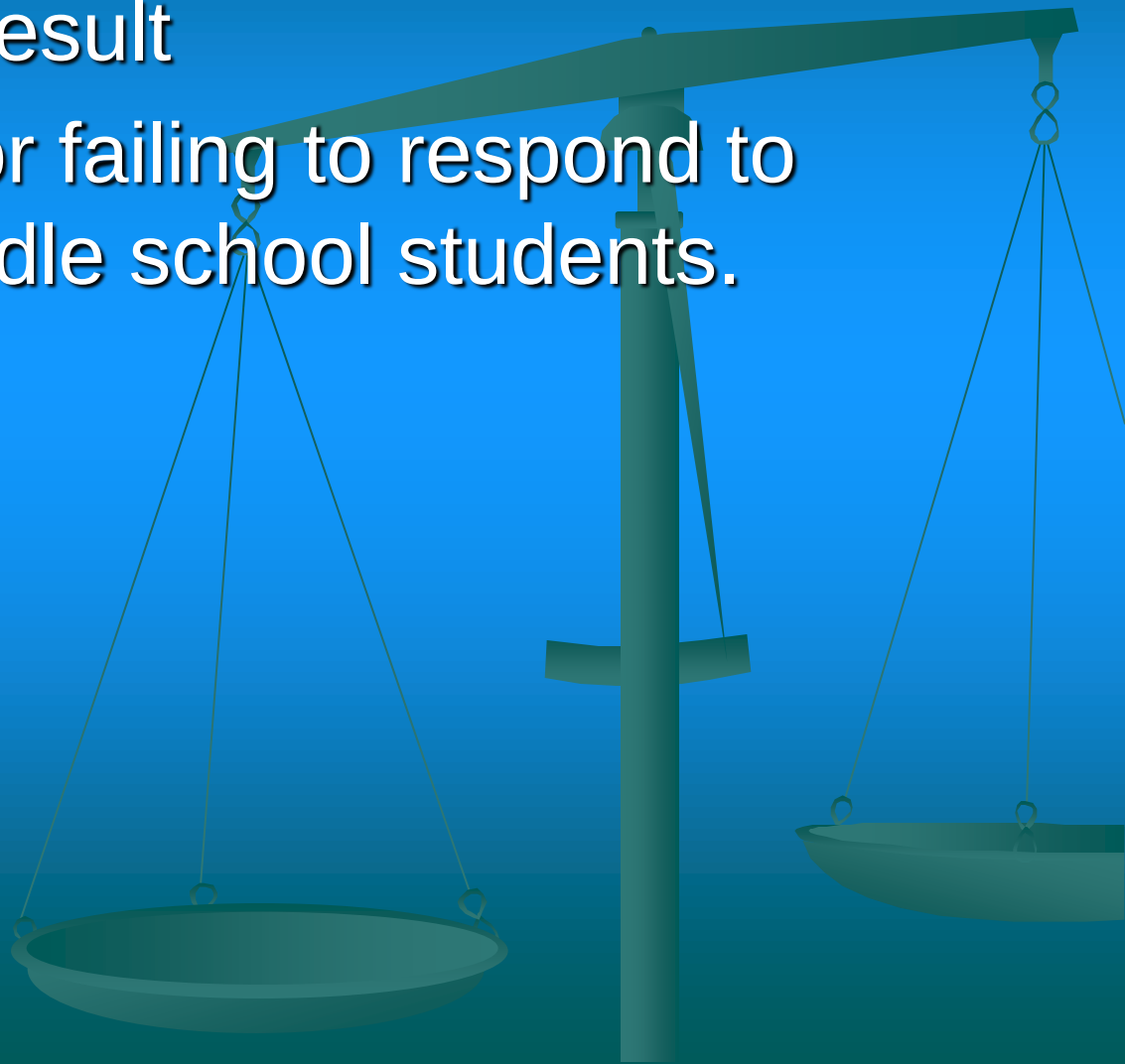
**June 23, 2011**

**358 S.W.3d 612**



# Moore v. Houston County Board of Education

- Affirmed Trial Result
- School Liable for failing to respond to assaults on middle school students.



# Moore v. Houston County Board of Education

- Court:
  - No Immunity
  - Educators did not respond “reasonably” to what they knew.

# Moore v. Houston County Board of Education

- Court:
  - Attack on middle school student by fellow students was foreseeable to school officials.
  - Liability appropriate even though precise nature of attack had not been foreseeable.
  - Educators knew about pattern of threats and incidents.
  - Parents had complained to officials several times prior to attack.
  - Officials failed to follow school policy.

# Moore v. Houston County Board of Education

- Court:
  - Attack on middle school student by fellow students was foreseeable to school officials, and thus county school board could be liable in negligence for students' damages arising from attack; even if precise nature of attack, in which fellow student paid a third student to carry out attack, had not been foreseeable, fellow student had threatened and bullied student throughout school year prior to attack, student and student's parents had complained to officials several times prior to attack, and

# LIABILITY

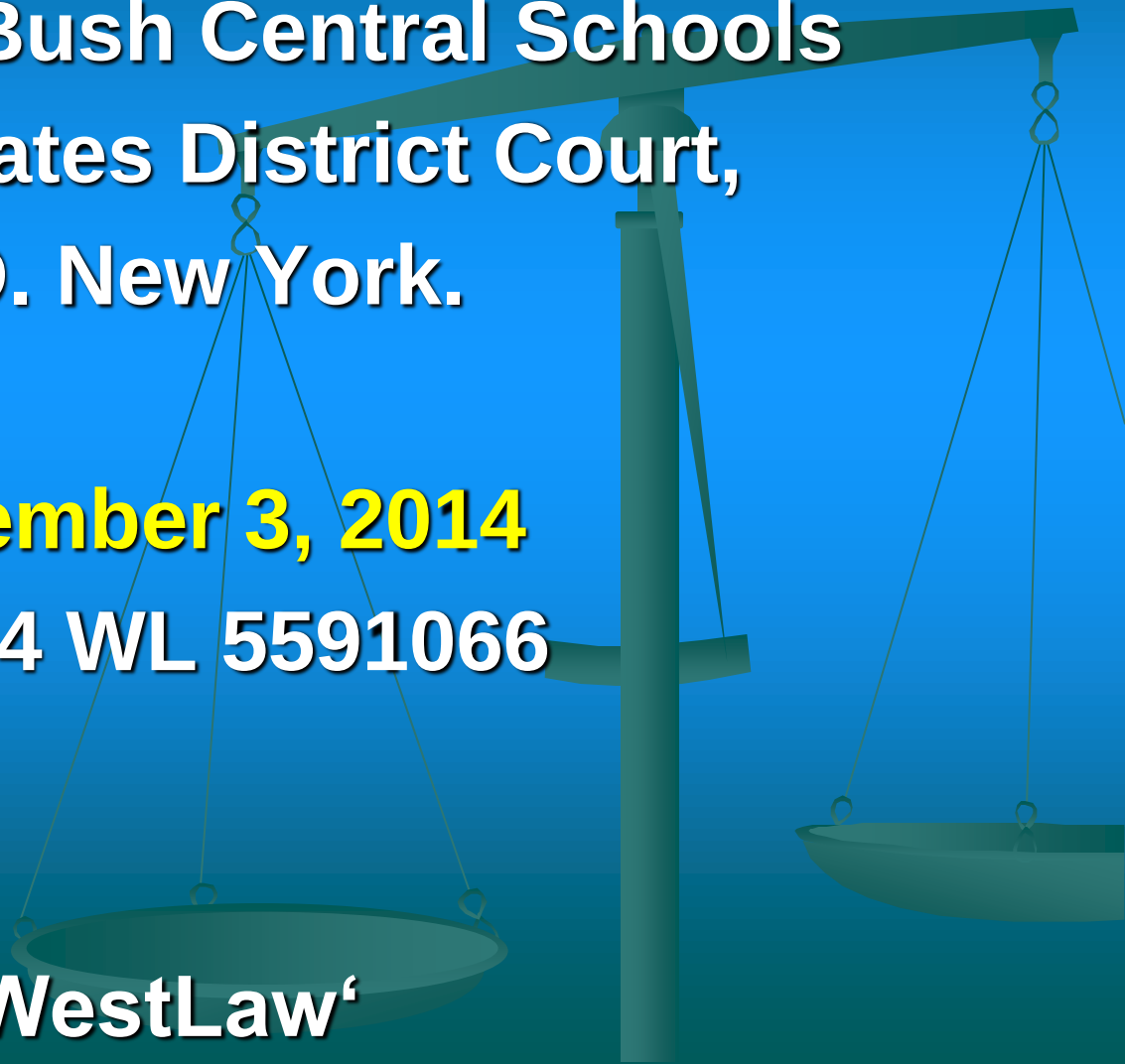
**T.E. v. Pine Bush Central Schools**

**United States District Court,**

**S.D. New York.**

**November 3, 2014**

- **2014 WL 5591066**



**Note: WL means ‘WestLaw‘**

# T.E. v. Pine Bush Central Schools

- Five Jewish students who allegedly suffered anti-Semitic harassment.

- Filed lawsuits:
  - Title VI
  - Equal Protection Clause

# T.E. v. Pine Bush Central Schools

- Court:
  - No Immunity
  - Case goes to trial
  - Issue: did educators respond “reasonably” to what they knew?

# T.E. v. Pine Bush Central Schools

Emerging Rules for Exercise of Discretion:

-- School cannot ignore victims:

- "For purposes of determining whether it may be held civilly liable for its deliberate indifference to student-on-student harassment under Title VI, school district exercises "substantial control" over the circumstances of the harassment when it occurs during school hours and on school grounds."

# T.E. v. Pine Bush Central Schools

Emerging Rules for Exercise of Discretion:

-- School cannot ignore victims:

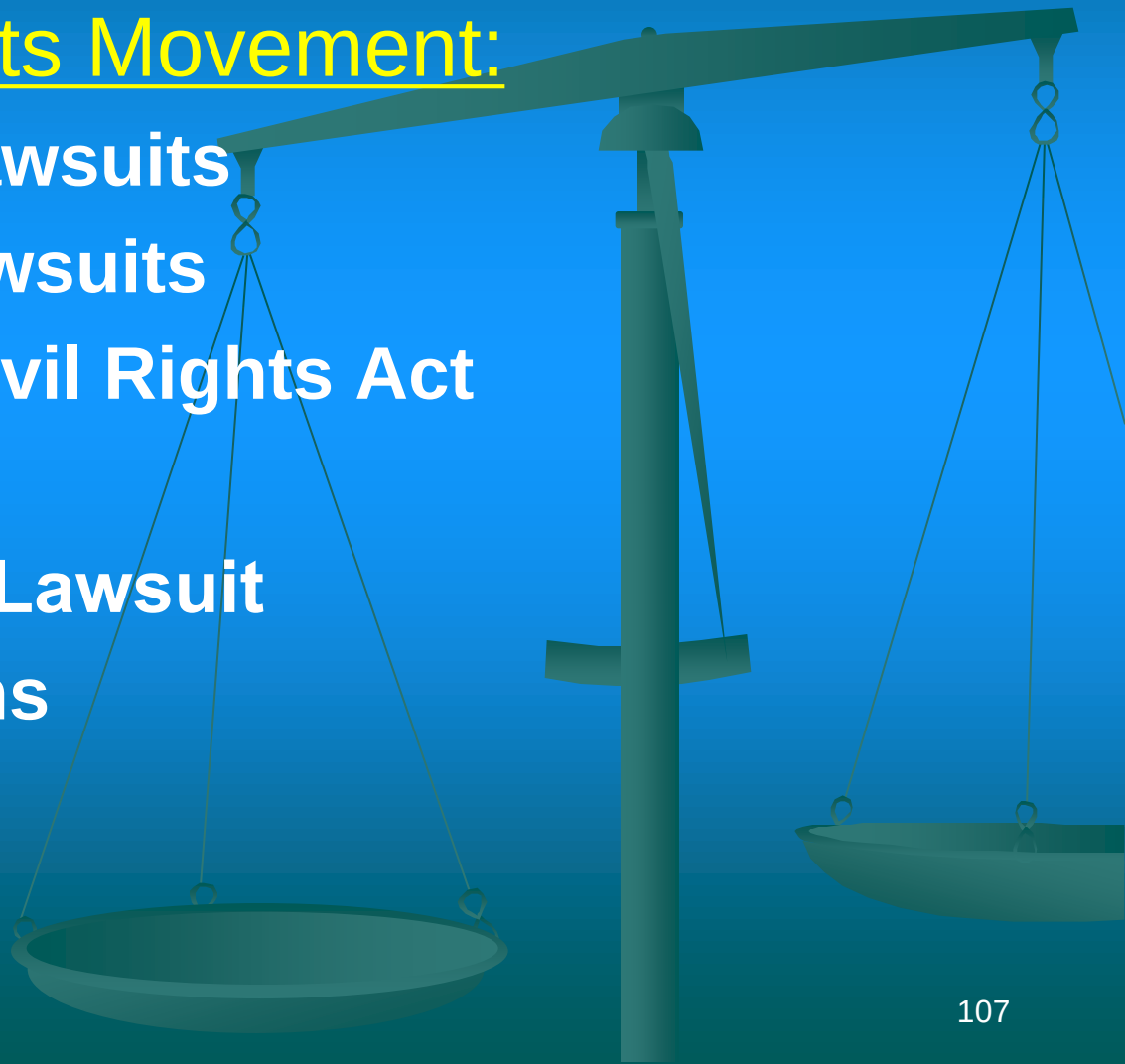
- "Title VI only recognizes actual notice of harassment, as required for school district to be **held civilly liable** for its deliberate indifference to student-on-student harassment, **when information is provided to school official with authority to institute corrective measures** on school district's behalf."

# Protecting the Rights of Victims

- The Victims Rights Movement:
  - 33 States have enacted constitutional amendments codifying the right.
  - All 50 State have statutes protecting victims.
  - Federal Laws:
    - the Victims of Crime Act of 1984,
    - the Victim's Rights and Restitution Act of 1990,
    - the Victims Rights Clarification Act of 1997,
    - and the Crime Victims' Rights Act of 2004.

# Protecting the Rights of Victims

- The Victims Rights Movement:
  - Section 1981 Lawsuits
  - Section 1983 lawsuits
  - Title VI of the Civil Rights Act
  - Title IX Claims
  - “Class of One” Lawsuit
  - State Law Claims

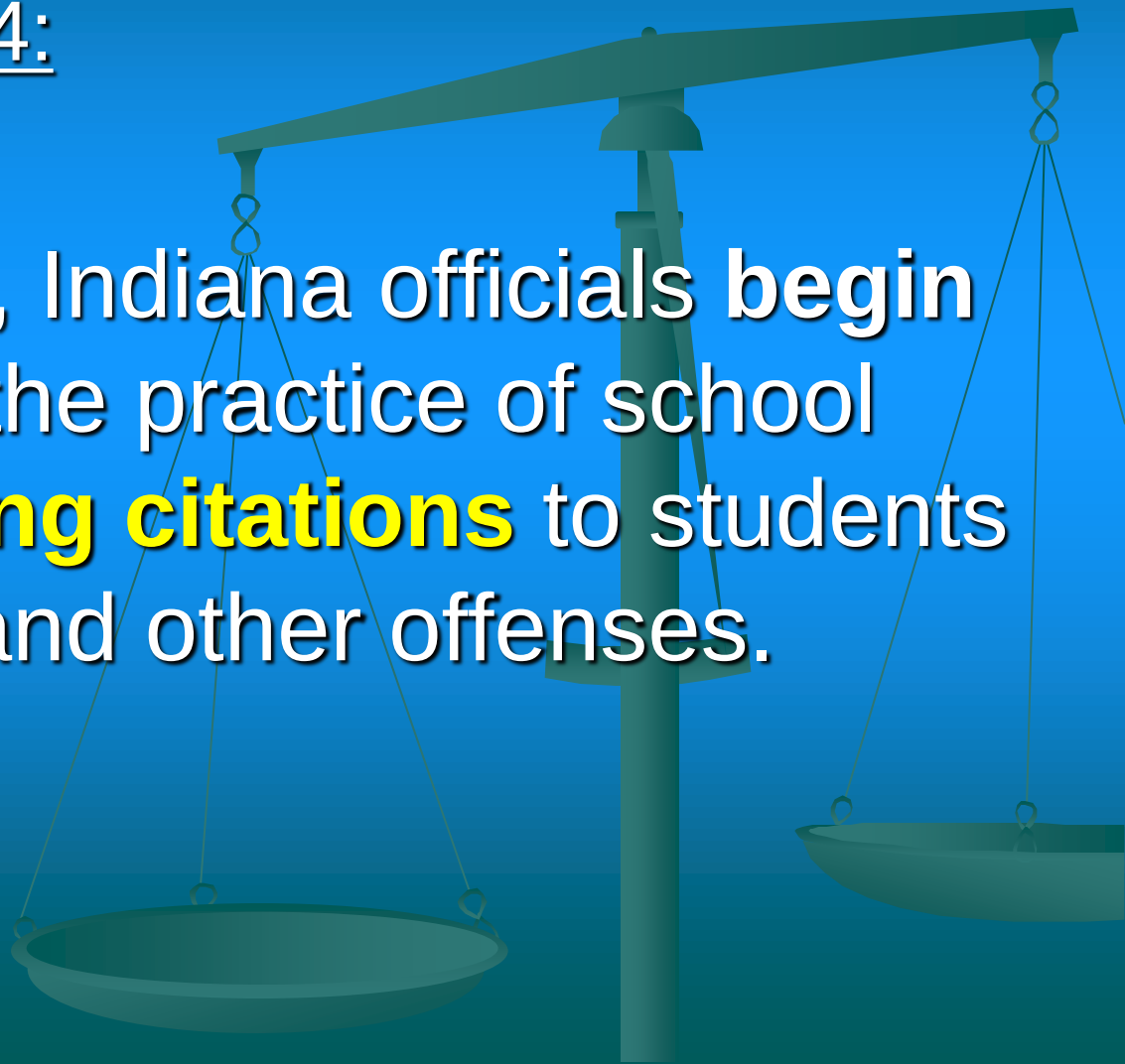


# Indiana H.B. 1287

- It would require schools to **establish an evidence-based plan** for improving student behavior and discipline.
- It would require schools **to report data related to disciplinary and law enforcement action in schools**
- It would require **the state to work with schools** to correct those disparities.

# South Bend Indiana

- <u>September 2014:</u>
  - South Bend, Indiana officials **begin assessing** the practice of school police **issuing citations** to students for fighting and other offenses.



# South Bend Indiana

- November 2014:
  - New policies designed to **reduce** the overall number of students put **out of class** for behavioral issues.
  - A new student code of conduct has been implemented
    - a culturally sensitive Positive Behavior Interventions and Support program.

# South Bend Indiana

- February 2015:
  - School board's safety committee affirms that the practice of student ticketing continue.
  - The biggest disruption in the schools is physical violence.
  - **"Citations are an effective deterrent."**

# Marion County Indiana
# Marion County Juvenile Court

- January 2015:
  - New Criteria for Referrals
    - Felony Arrests
    - Status Offenses with
      - Serious Injuries
      - Costs greater that $250
    - Encourages Alternatives to
      - Arrest
      - Suspension
      - Expulsion

# Discuss and Resolve #1

- A bus driver radioes that one female student had attacked another, punching her in the face repeatedly.
  - nose was broken
  - cuts around lip, and a loose tooth.
- <u>Perpetrator's story:</u>
  - ("I heard she was talking about me")
  - Admitted to simply accosting her and punching her several times.

# Discuss and Resolve #2

- A a male student attacked another male student in the hallway today, punching him repeatedly in the face.
  - was broken
  - cuts around lip, and a loose tooth.
- <u>Educator's story:</u>
  - 10th incident involving this perpetrator.
  - Incidents 1-9: "In School Suspension."

# Restorative-Justice and the SRO

- **<u>Emerging Research Shows:</u>**

- "Restorative-Justice" techniques are compatible with SRO programs that incorporate the triad approach to campus safety."

  - Cheryl Swanson & Michelle Owen, "*Building Bridges: Integrating Restorative Justice With the School Resource Officer Model*," (2007).

# Restorative-Justice and the SRO

- **Emerging Research Shows:**

- Restorative conferencing with police officers can **reduce recidivism and play a key role** in restorative justice models.

  - Cheryl Swanson & Michelle Owen, "*Building Bridges: Integrating Restorative Justice With the School Resource Officer Model*," (2007).

# Facts and Data Trends:

- Over the past **two decades**, America's public schools have become safer and safer.
- All indicators of school crime continue on the **downward trend**.
  - school-associated deaths,
  - violence
  - nonfatal victimizations
  - theft

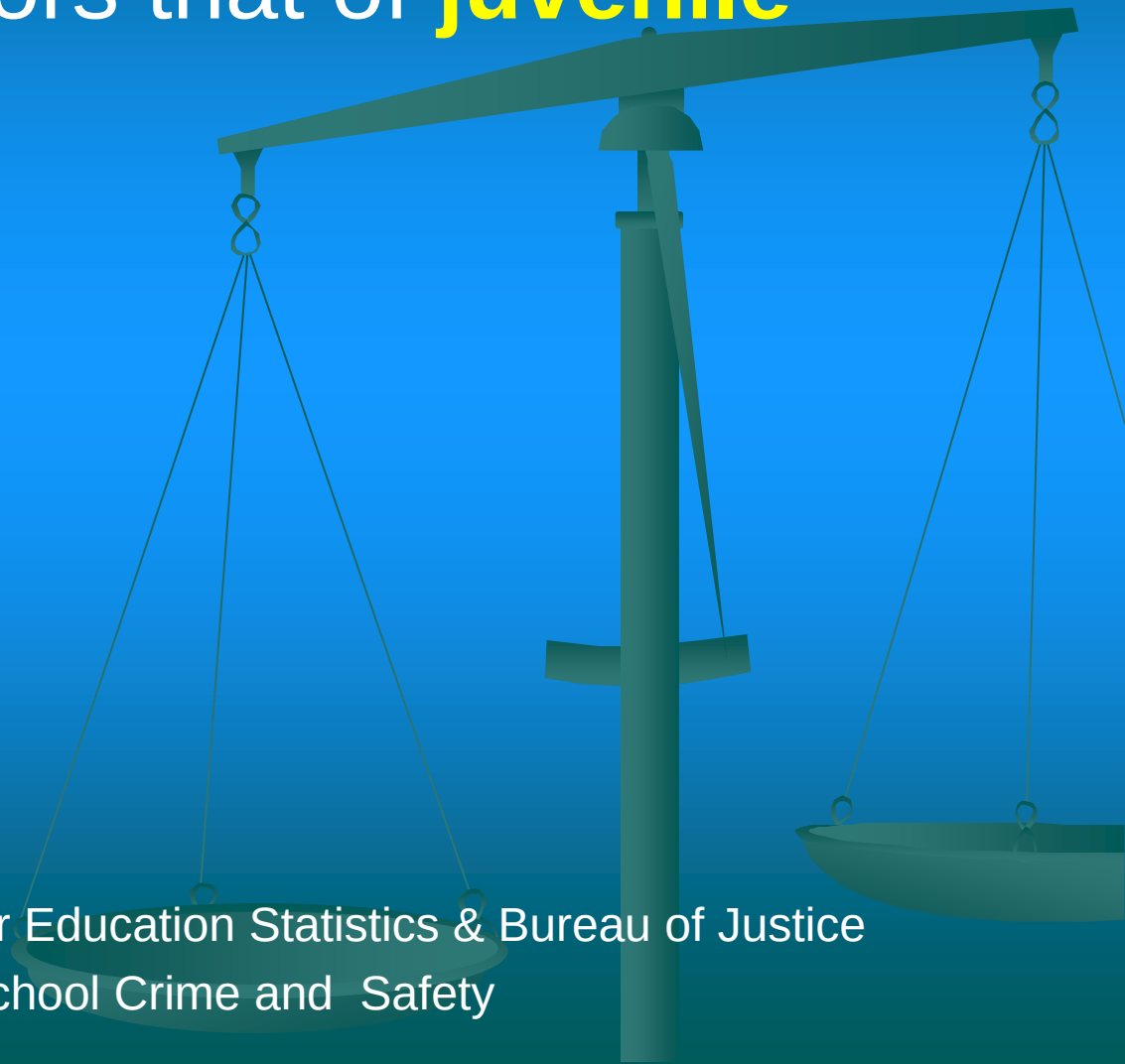
# Facts and Data Trends:

- This trend mirrors that of **juvenile arrests**:
  - Fell nearly 50% between 1994 and 2009.
  - Fell 17% between 2000 and 2009 alone.

2011 National Center for Education Statistics & Bureau of Justice Statistics, Indicators of School Crime and Safety

# Facts and Data Trends:

- This trend mirrors that of **juvenile arrests**:
  - **All States**
    - Texas
    - Maryland
    - Florida
  - Many Big Cities
    - Baltimore
    - Houston



2011 National Center for Education Statistics & Bureau of Justice Statistics, Indicators of School Crime and Safety

# Facts and Data Trends:

- This trend mirrors that of **increased graduation rates:**
  - Rose to 75.5% between 2009 and 2010.
  - Number of “failing schools” dropped from 2,007 to 1,550.

Johns Hopkins University, The Everyone Graduates Center.

“Building a Grad Nation” (2012)

# Facts and Data Trends:

- This trend mirrors that of **increased graduation rates:**
  - **40 States** reported record increases in the graduation rate.
    - Maryland
    - Florida
    - Texas
    - Missouri
    - New York
    - Alabama
    - Georgia
    - Massachusetts
    - Virginia
    - Tennessee
    - North Carolina
    - Wisconsin

Johns Hopkins University, The Everyone Graduates Center. "Building a Grad Nation" (2012)