



*A National Juvenile Justice Coalition of State and National Members*

**Statement Regarding the Federal School Safety Commission Report  
December 19, 2018**

The following statement has been issued by the National Juvenile Justice and Delinquency Prevention Coalition Steering Committee members:

The National Juvenile Justice and Delinquency Prevention Coalition (NJJDPC) strongly opposes the Federal School Safety Commission's recommendation to rescind the "Rethinking Discipline" policy guidance jointly promulgated by the U.S. Department of Education (DOE) and the U.S. Department of Justice (DOJ) in 2014. This guidance was issued based on research on well-documented disparities in school discipline and the shared value of ensuring that all children have the opportunity to achieve a high-quality education.

While the Commission makes several sound recommendations to increase school safety and student engagement, such as using positive behavioral interventions and supports (PBIS) and providing school-based mental health services, the recommendation to rescind the DOE-DOJ Guidance will only serve to make schools less safe and harm student achievement. Starting in the early 2000s and stemming from high-profile school shootings like Columbine, schools began to [incorporate](#) zero-tolerance policies and increase police presence in schools. While purportedly intended to address gun violence in school, these zero-tolerance policies quickly lead to students being suspended or expelled for ordinary adolescent misbehavior. Youth of color have been disproportionately punished as a result of these measures.

Research has [shown](#) time and again that youth of color are no more likely to misbehave than white youth. However, over [70 percent](#) of students involved in school-related arrests or referred to law enforcement are African-American or Hispanic. Given so many students of color are funneled to the justice system for school-based behavior, it is not surprising that despite overall drops in youth offending on a wide range of offenses, the racial and ethnic disparities in the juvenile justice system have grown. What the field lacks is guidance on how to address these disparities - the very guidance the Commission is dismissing.

Zero-tolerance policies have an even greater [effect](#) on students with disabilities, particularly those students with depression, autism, and behavioral disorders. It is [estimated](#) that an astonishing “70 percent of youth who enter the justice system have a mental health, sensory or learning disability, and anywhere between 28 percent and 43 percent of detained or incarcerated youth have special education needs.” The outcomes are even worse for students of color with a disability. [Data](#) from the DOE revealed that more than one in four black boys and one in five black girls with disabilities will be suspended each school year - critical data available only because of the existing DOE-DOJ Guidance.

Members of the NJJDPC are committed to ensuring that all students are safe in school, complete their education, and become productive members of society. These are common sense values that we believe are shared by all Americans. Many of the recommendations by the Federal School Safety Commission run directly counter to those goals and fail to recognize glaring disparities in the educational progress and achievement of children of color and young people with disabilities. For these reasons, we strongly oppose these recommendations.

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**The National Juvenile Justice and Delinquency Prevention Coalition (NJJDPC)** *is a collaborative array of youth- and family- serving, social justice, law enforcement, corrections, and faith-based organizations, working to ensure healthy families, build strong communities and improve public safety by promoting fair and effective policies, practices and programs for youth involved or at risk of becoming involved in the juvenile and criminal justice systems.*