

Suspensions Down 46% Due to Youth Court at Alternative Middle Years at James Martin Middle School

Pennsylvania State Senate Democratic Policy Committee Hearing on the Role of Youth Courts
in Juvenile Justice Written Testimony

By John Papiano

Youth court is an opportunity for students that make poor choices to improve their behavior without being suspended or punished in the traditional way. Youth court will find a way to help students become responsible for their behavior and make better choices in the future. As Zero Tolerance fades as a disciplinary policy, restorative justice programs such as youth court are filling a void that has not provided alternatives to suspension. Youth courts gives students a second chance while developing higher level thinking skills for the youth court members. Youth courts have proven to be a successful tool to implement restorative justice and should play a role in all schools in Pennsylvania.

The Youth Court at A.M.Y. at James Martin Middle School is an exemplary example of what a youth court can provide to a school. In its first year, the youth court has reduced suspensions by 46% and is responsible for handling over 100 referrals. The youth court has taken responsibility for nearly all disciplinary action in the school. The youth court cases at A.M.Y. include cases about horseplay, mutual fights, and plagiarism among other issues.

Youth courts can work at any school. There are youth courts in Philadelphia elementary, middle, and high schools including both public and charter schools. These schools represent a continuum of demographics and academic achievement. As youth courts expand throughout the district the transition of students with youth court experience moving from elementary to middle and middle to high school will only strengthen the youth court programs.

The low cost of youth courts makes them an attractive choice compared to other restorative justice options. Youth courts require one adult to be trained per school which gives that school ongoing access to youth courts year after year. As students with youth court experience move from elementary to middle school and from middle school to high school the training will be minimized. Other restorative practice option such as Positive Behavior Intervention System and Restorative Circles depend on all teachers being trained, which is a challenge based on the turnover rate of the school district and also implementing the program with fidelity.

Youth courts provide benefits to the members of the youth court in addition to the benefits to the respondents. Youth court members are required to engage in problem solving and higher level thinking skills. There are positions to develop leadership such as judge and bailiff. Students also develop public speaking skills in all positions, especially as youth advocate and jury foreperson.

Youth courts are flexible and can be modified to meet the needs of each school. A.M.Y. at James Martin modified the basic youth court model by adjusting the number of students in the jury, developing a plea bargain system, and developing a restraining order. Schools can choose to run a youth court program as an elective, as part of a social studies class, or as an after school

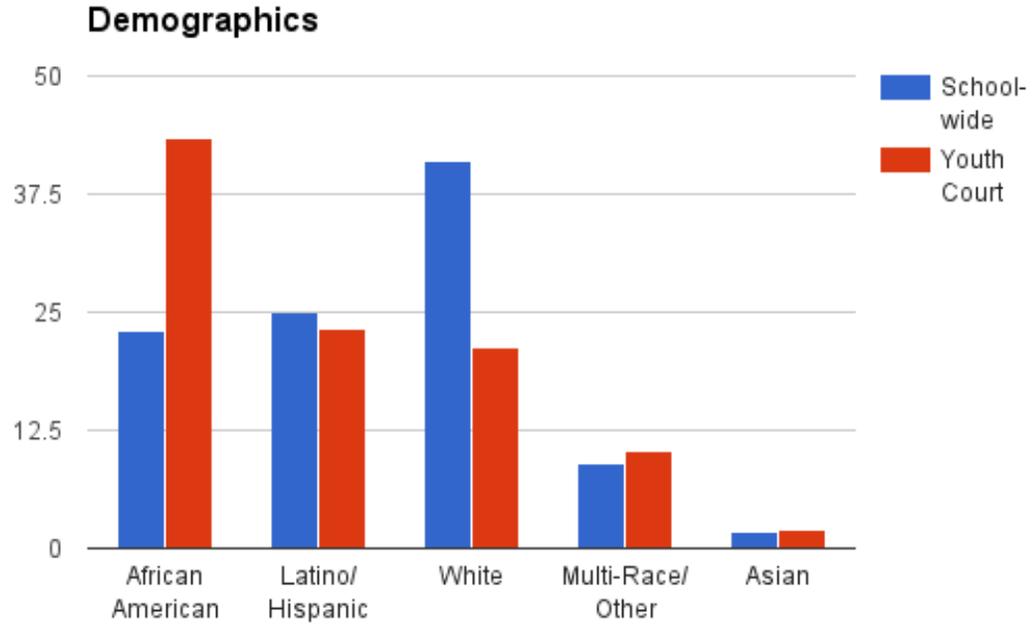
club. Each school has different needs and youth courts can accommodate the needs of any school.

A typical youth court hearing at A.M.Y. at James Martin Middle School will be held within a week of the referral and the student will usually be given a week to complete the disposition. If a student is disrespectful to a teacher and gets written up, the student might get an opportunity to go to youth court instead of getting suspended. Before the hearing, a youth court team member will meet with the student to get the student's side of the story. On the day of the hearing the student will go to the youth court that meets in the multi purpose room. The youth court will ask a lot of questions to get a better idea of the situation and what needs to be done to make things better. These questions will include facts about the case, identifying who was harmed by the actions of the student, and what needs to be done in order to make things better.

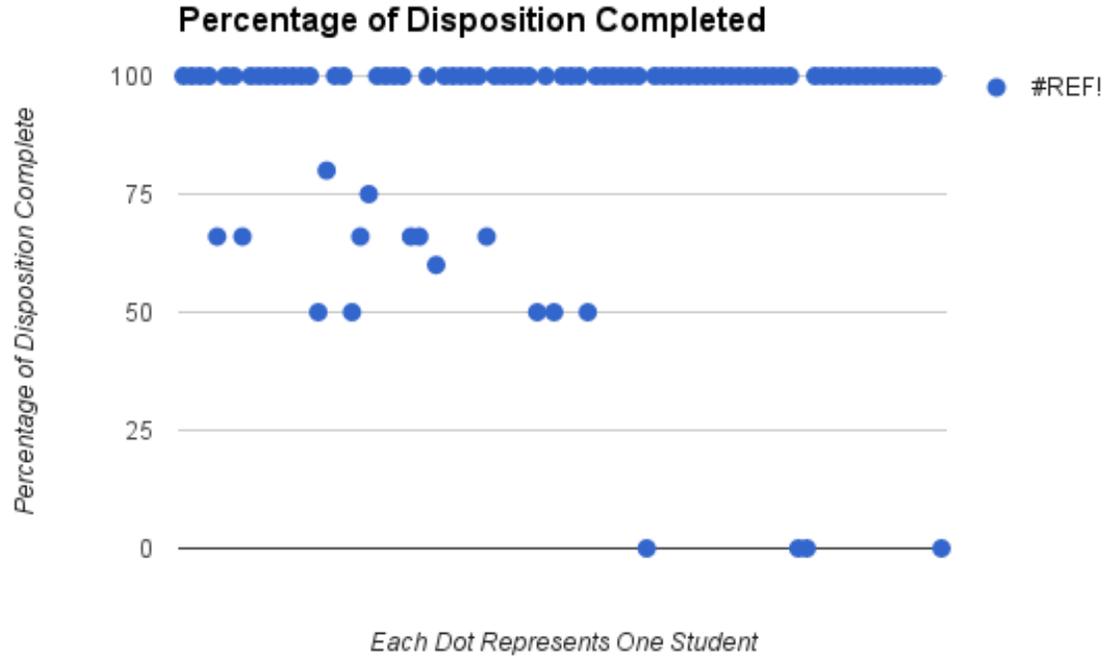
The youth court will evaluate the answers that are given and make a decision about what needs to be done to improve the behavior of the student. Although every case is different, in the case of the example where a student disrespects a teacher a possible outcome might include a written apology, a conference with the teacher, and a few hours of community service.

Youth courts can come up with any conclusion needed to help the student improve behavior. The conclusions of the youth court are often creatively developed to match the situation. The determinations of youth court are meant to allow the student to take responsibility and make amends for the offense, not to punish the student.

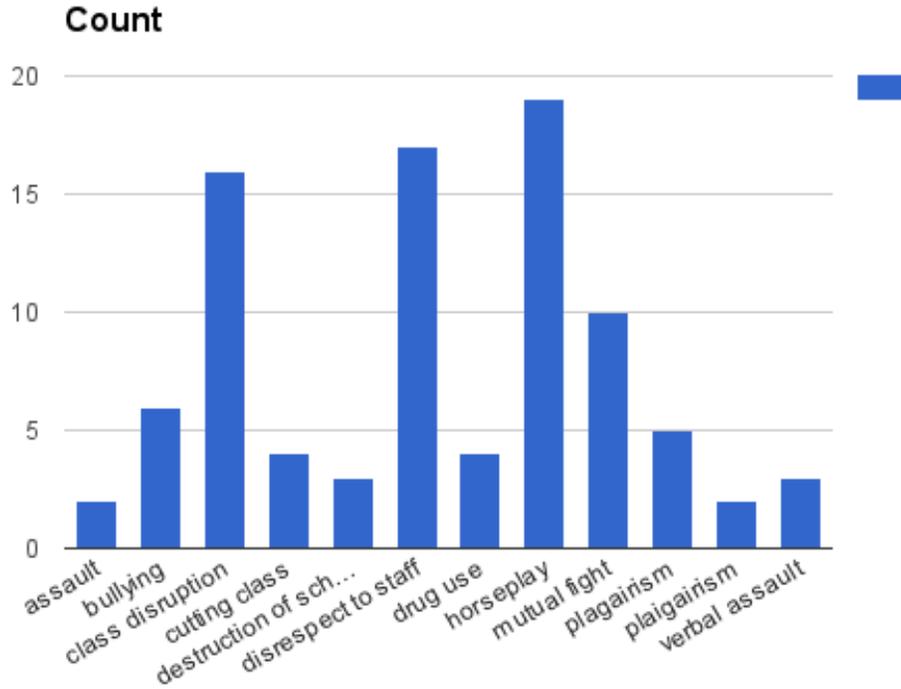
The following graphs provide insight into the students that have been referred to Youth Court at A.M.Y. at James Martin Middle School. As the data develops over time, the conclusions developed on the following pages will be adapted and used determine the evolution of our youth court as well as the discipline policy of the school and distribution of resources.



This graph compares the demographics of the school to the demographics of students sent to youth court. There is a disproportionate number of African Americans sent to youth court compared to the general population of the school. This data represents a small sample size from November to May and may not represent an unbalanced number of referrals once the sample size becomes larger. If this trend continues it should be noted that youth courts are restorative diversionary program that prevent suspension and as a result prevent an unbalanced number of minorities from being suspended.

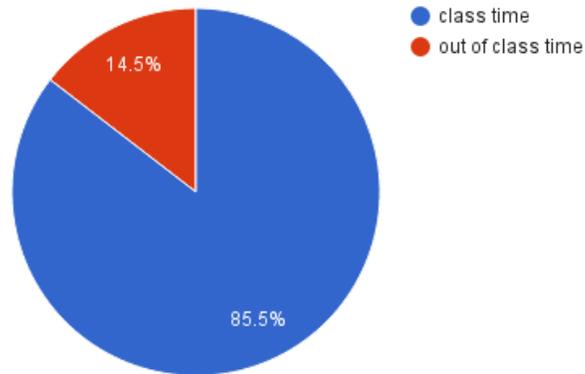


This graph shows that most students complete all parts of their disposition. Some students complete 50% to 80% of their disposition and four students did not complete their disposition at all. Of the four that did not complete any part of the disposition one is about to be recalled to youth court for not completing the disposition, one was suspended for a similar offense the week after the trial, and two returned to youth court and completed the disposition for the second hearing. The youth court at A.M.Y. has been so successful that they deal with almost all disciplinary referrals at the school. Many school based youth courts only have hearings for respondents that admit guilt and willingly choose youth court as an alternative to traditional punitive consequences. Addressing all issues at A.M.Y. contributes to slightly lower disposition completion rates. The youth court has, over the course of the year, eliminated partially completed dispositions. The Youth Court at A.M.Y. currently has an 89% disposition completion rate and continues to strive for 100% completion of all dispositions.

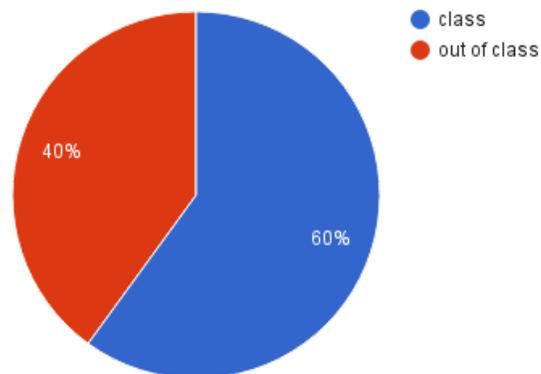


This graph identifies the most common infractions that results in a youth court referral at A.M.Y. at James Martin. There are a high number of horseplay incidents that would not likely have resulted in a suspension. Youth courts have the ability to address these less serious offenses before a situation develops into something more serious. School based youth courts can also handle more serious offenses such as bullying and mutual fights that include injuries.

Student Location Throughout the Day



General Location of Infraction



The general location of each infraction that resulted in a referral is significant because it identifies an area of need within the school. The graphs compare the amount of time that students spend out of the class with the percentage of referrals that occur outside of the class. Students spend 14% of their day outside of the classroom but 40% of the referrals come from outside the classroom. This is a direct result of years of budget cuts that affect the support staff first.