Give Districts the Tools to Keep Kids Safe and in School

Pending legislation will decrease school-based arrests and referrals, expand school diversion, and increase academic supports for justice-involved students in Pennsylvania.

What Problem Does the Legislation Solve?

Pennsylvania schools refer youth to the juvenile justice system 2.7 times more often than the national average, with wide variety across counties. School administrators are not always clear on the requirements for law enforcement referral, which can lead to unnecessary justice system involvement for normal childhood misbehavior, including things like fighting or bringing a butter knife to school. Research shows that handling such behavior with school- and community-based resources instead of the court system reduces recidivism and leads to better long-term outcomes for kids. Findings from Pennsylvania data indicate:

- Approximately **50% of school-based arrests and referrals are for low-level, non-violent offenses**.
- **Black students and special education students are more than twice as likely to be referred to law enforcement** as their white and general education counterparts.
- Nearly **50% of students receiving education services in a juvenile justice facility do not return to school**. Of those who do return, 75% subsequently drop out.

> ***"I've been to a placement where they do kindergarten work and you can color and they say you can get credit, but you don't get credit."***
> - *Impacted youth*

When schools choose to use law enforcement and court resources to address student behavior, the educational achievement of young people suffers. Out-of-home placement is particularly detrimental, as facility-based programs are not consistently assessed for quality and often aren't coordinated with local school districts, creating barriers to academic achievement and graduation.

What Does the Legislation Do?

This legislation will expand opportunities for school-based diversion, standardize school diversion practices statewide, and establish mechanisms for educational supports and program oversight in facilities and as students transition back to their home schools. Specifically, the bill:

- **Encourages schools and families to address low-level behavior without court involvement** by requiring diversion for most first or second time misdemeanor behavior;
- Supports those diversion efforts through the **establishment of a school-based diversion fund**;
- Clarifies school administrators' reporting requirements for weapons, to ensure continued **mandated reporting to law enforcement about firearms in schools**;
- Formalizes a monitoring process to **evaluate education services in juvenile justice facilities**; and
- Improves graduation outcomes by **sending students released from placement back to their school of origin,** unless the court determines it is not in the interest of public safety or the student chooses otherwise.

How Can I Support the Legislation?

Representatives Carol Hill-Evans and Natalie Mihalek introduced a co-sponsorship memo addressing these issues. Legislation is expected to be introduced soon.