

2018

Spotlight On: The Teske Model: An Alternative Approach to Zero-Tolerance Policies

Nicholas Zausch

Follow this and additional works at: <https://lawcommons.luc.edu/clrj>



Part of the [Family Law Commons](#), and the [Juvenile Law Commons](#)

Recommended Citation

Nicholas Zausch, *Spotlight On: The Teske Model: An Alternative Approach to Zero-Tolerance Policies*, 38 CHILD. LEGAL RTS. J. 93 (2020).

Available at: <https://lawcommons.luc.edu/clrj/vol38/iss1/10>

This Article is brought to you for free and open access by LAW eCommons. It has been accepted for inclusion in Children's Legal Rights Journal by an authorized editor of LAW eCommons. For more information, please contact law-library@luc.edu.

Spotlight On:
The Teske Model: An Alternative Approach to Zero-Tolerance Policies

By: Nicholas Zausch

I. INTRODUCTION

In the early 2000's, Judge Steven C. Teske of the Clayton County Juvenile Court in Georgia recognized that cases brought to the court dramatically increased when school districts began placing police officers on campuses in the early 1990's following the growth of zero-tolerance policies. The presence of these officers, however, did not precipitously make schools safer, although graduation rates suffered soon after. To combat this growing crisis, Judge Teske partnered with the Clayton County School District to reconsider the relationship between police officers and schools, and to determine how the juvenile court could better leverage its resources to improve the community for everyone. The results of Judge Teske's efforts, culminating in the development of a model coined as the "Clayton County Model," have been phenomenal. Through an intervention system focused on community engagement, tiered sanctions, and school-based mediation, Clayton County experienced profound improvements in juvenile court referrals, graduation rates, and violent crimes among juveniles. Following ten years of the Clayton County Model's implementation, other school districts have begun to implement similar protocols with similar results. The Clayton County Model represents a viable way to leverage police department resources in schools to make communities safer and smarter.

II. SCHOOL RESOURCE OFFICER'S EXPANSION IN THE 1990'S AND THEIR NATIONAL EFFECT

Zero-tolerance policies swept the nation following the passage of the Gun Free Schools Act in 1994. Under zero-tolerance policies, students are given punitive punishments based off of predetermined consequences that show little regard to situational context and individual circumstances. These policies capitalized on growing public discomfort following an increase in juvenile crime, a string of highly publicized school shootings, and fear about crimes occurring in schools. In order to address these concerns, school resource officers (SROs) became a fixture in many schools across America. To illustrate, one percent of school principals reported having SROs in schools in 1975. By 2008, a similar poll found that forty percent of schools had SROs.

This policy was not effective. In addition to disregarding foundational research concerning an adolescent's ability to exercise appropriate judgment, the zero-tolerance policies exacerbated school discipline issues. The policies contributed to the disparity in arrests between students with disabilities and minority students, all while graduation rates fell in schools with SROs. In addition, SROs and their role were also shrouded in mystery. Neither the members of the community nor the students understood the SRO's responsibilities and tasks. Moreover, there was little information as to how SROs saw their own role and how to perform it. Most importantly, SROs and zero-tolerance policies did not conclusively improve school safety, thus calling into question the entire philosophy behind the policy.

III. SRO EFFECT ON CLAYTON COUNTY SCHOOLS

School-based offenses rose dramatically in the 1990's following the placement of SROs in local Clayton County middle and high schools. For instance, there were 46 school-based offenses in Clayton County in 1995, a time prior to SRO presence in Clayton County schools. This number increased to 1,200 school-based offenses by 2003. Of these 1,200 cases, ninety percent of cases were misdemeanors, mostly for behavior that was formerly handled by school administration. The dramatic increase in offenses from 1995 to 2003 was consistent with the cultural shift towards zero-tolerance where students were subject to predetermined consequences without regard to mitigating circumstances or proper context.

These policies had profound effects on graduation rates, arrests of children of color, and recidivism. By 2003, the graduation rate of Clayton County schools fell to an all-time low of fifty-eight percent. When suspensions increased, there also was a precipitous increase in juvenile crime, particularly among minority students. Of all referrals to juvenile court, eighty percent involved African American students. In addition, the average caseload for a probation officer was 150, with two-thirds of the cases being low-risk cases. Because of this lack of supervision, the recidivism rate spiked to seventy percent. Judge Teske contends that all of these impacts were a direct result of zero-tolerance policies that were negatively harming the Clayton County community.

IV. A NEW APPROACH

The Clayton County Model, informally known as the "Teske" model, focuses on collaboration with community stakeholders to reduce school arrests by creating a protocol by which the stakeholders address school-based acts. To develop the protocol, stakeholders engaged in a series of conversations starting in 2003 that were moderated by a neutral party that addressed concerns and goals for the group. Following a review of the county data, the collaborators began shaping a plan to address their own concerns and goals. The protocol was memorialized in writing, and training was provided for the different sectors so as to ensure that it be implemented properly. The goal throughout the meetings was to create data-informed policies that could be effectively implemented with community buy-in and support.

Following these series of meetings, Clayton County unveiled a three-tier graduated response system that addressed the four most common misdemeanor offenses being referred to in the juvenile court, specifically, disruption, fights, disorderly conduct, and failure to follow police instructions. Pursuant to the program, rather than immediately getting sent to the juvenile court, students were first given a written warning and were required to attend conflict resolution workshops before being referred to court. The hope, of course, was to give students an opportunity to correct their behavior through intervention by school leaders and trained conflict resolution professionals before the court system stepped in.

The protocol also formed a multidisciplinary panel that would meet regularly to discuss children at risk for referral to the court. Following a meeting on a specific child, the panel connects the child and their family services outside of the school setting. These services consisted of individual and family therapy, wrap-around services, and anything else deemed appropriate. The goal of these meetings was to be proactive, rather than reactive, in providing services to at-risk

youth. This protocol aimed to create a network of support behind any child who is chronically disruptive, before the child ended up in juvenile court.

V. TANGIBLE IMPROVEMENTS ACROSS CLAYTON COUNTY

This protocol has been remarkably successful in improving juvenile justice reform in Clayton County. Since the program's implementation in 2004, referrals to the juvenile court have decreased by sixty-seven percent, suspensions are down by eight percent, and graduation rates in Clayton County are up twenty percent. Furthermore, incidents related to weapons on campus are down seventy-three percent and felony rates in the community decreased by fifty-one percent. Clayton County also saw dramatic decreases in the disparity of referrals and detention rates for ethnic and racial groups. Put simply, keeping students in school for longer periods of time lowered crime across the board in the community and increased graduation rates.

In addition to these improvements, the overall role of the police force began to change. Because SROs now engaged more positively with students, students began sharing helpful information to solve other crimes. Caseloads for probation officers dropped to twenty-five cases per officer, which led to a reduction in recidivism to twenty-four percent compared to seventy percent in 2004. As Judge Teske stated, "This decline represents greater success among these troubled youth and fewer victims." The police force now had the tools and the time to devote more resources to serious crimes and severely troubled youth.

VI. IMPLEMENTATION IN OTHER COUNTIES

Numerous counties have followed Clayton County's lead and achieved similar results. For example, Birmingham, Alabama had 513 SRO referrals to juvenile court in the 2007-2008 school year, with ninety-nine percent of the students referred being African American and ninety-six percent of offenses being petty misdemeanors. Following the protocol's implementation, referrals decreased by seventy-five percent and detention rates fell by seventy-two percent. Wichita, Kansas also achieved great improvement through the use of the model, with school arrests decreasing by fifty percent since its implementation. Finally, Rapides Parrish, Louisiana reduced their school referrals from 1,148 to just 58 over the span of five years following implementation. Other counties across the United States are currently following suit to create their own protocols to reduce school arrests, with expected results similar to that of Birmingham, Rapides Parrish, and Wichita.

VII. CONCLUSION

Judge Teske often quips that "zero tolerance is zero intelligence," and the statistics indicate that he is right. Under his leadership, Clayton County created an alternative approach to juvenile court referrals that directly opposed the zero tolerance policies of the 1990's. With astounding results, Clayton County experienced higher graduation rates, lower crime rates, and lower juvenile court referrals. Clayton County is emblematic of what is possible when courageous leaders take a common sense approach to a crippling problem. The model takes work, energy, and commitment, but if Clayton County or any of the other counties that have adopted similar protocols would attest, it is well worth the effort to create a more effective juvenile court, school system, and police force.

Sources

Am Psychol. Ass'n Zero Tolerance Task Force, *Are Zero Tolerance Policies Effective in Schools? An Evidentiary Review and Recommendations*, 63 AM. PSYCHOLOGIST 852, 852 (2008).

Amanda Merkwae, *School the police: race, disability, and the conduct of school resource officers*, 21 MICH. J. RACE & L. 147, 153 (2015).

Donna St. George, *Judge Steve Teske seeks to keep kids with minor problems out of court*, WASH. POST (Oct. 17, 2011), https://www.washingtonpost.com/lifestyle/style/judge-steve-teske-seeks-to-keep-kids-with-minor-problems-out-of-court/2011/09/21/gIQA1y8ZsL_story.html?utm_term=.269ca5177c7c.

Judge Steven C. Teske & Judge Brian Huff, *The Court's Role in Dismantling the School of Prison Pipeline*, JUVENILE AND FAMILY JUSTICE TODAY, 14 (Winter 2011), [http://www.ncjfcj.org/sites/default/files/Today%20Winter%202011Feature%20\(2\).pdf](http://www.ncjfcj.org/sites/default/files/Today%20Winter%202011Feature%20(2).pdf).

Lisa H. Thureau & Johanna Wald, *Controlling Partners: When Law Enforcement Meets Discipline in Public Schools*, 54 N.Y.L. Sch. L. Rev. 977, 980 (2009/2010).

Spotlight on Clayton County School-Justice Collaboration, SCH.-JUSTICE PARTNERSHIP, <https://schooljusticepartnership.org/clayton-county-collaboration.html> (last visited Oct. 14, 2017).