Offenses that once earned suspensions or ‘time-outs’ are now resulting in handcuffs and trips to juvenile-detention centers

The 14-year-old girl arrived at her school in Toledo, Ohio, wearing a low-cut midriff top under an unbuttoned sweater. It was a clear violation of the dress code, and school officials gave her a bowling shirt to put on. She refused. She also rejected an oversize T-shirt.

“It was real ugly,” says the girl, whose mother did not want her to be identified.

It was a standoff. So the city police officer assigned to the school handcuffed the girl, put her in a police car, and took her to the detention center at the county juvenile courthouse. She was booked on a misdemeanor charge and placed in a holding cell for several hours until her mother picked her up.

The girl was one of more than two dozen Toledo students arrested in school during a single month last fall for offenses like being loud and disruptive, cursing at school officials, shouting at classmates, and violating the dress code. They had all violated the city’s safe-school ordinance.

In cities and suburbs around the country, schools are increasingly sending students to juvenile detention centers for the sort of adolescent misbehavior that used to be handled by school administrators.

ORDER IN THE CLASSROOM

“The goal is not to put kids out, but to maintain classrooms free of disruptions that make it impossible for teachers to teach and kids to learn,” says Jane Bruss, the spokeswoman for the Toledo public schools.

Others say the trend has gone too far. “We’re demonizing children,” says James Ray, the administrative judge for the Lucas County Juvenile Court, which handled the girl’s case.

Ray is concerned about the rise in school-related cases. There were 1,727 such cases in Lucas County in 2002, up
from 1,237 in 2000. Fred Whitman, the court’s intake officer, says that only a handful of cases—perhaps 2 percent—involved serious offenses like assaulting a teacher or taking a gun to school.

In Ohio, Virginia, Kentucky, and Florida, juvenile-court judges say their courtrooms are at risk of being overwhelmed by student misconduct cases that should be handled in the schools. Although few statistics are available, anecdotal evidence suggests that such cases are on the rise.

“Everybody agreed—no matter what side of the system they’re from—that they are seeing increasing numbers of kids coming to court for school-based offenses,” says Andy Block, who assisted in a 2001 study of Virginia’s juvenile justice system by the American Bar Association.

Many of the court cases around the country involve special-education students whose behavior is often related to their disabilities, Block and others point out.

Experts say the growing criminalization of student misbehavior can be traced to the broad zero-tolerance policies states and local districts began enacting in the mid-1990s in response to a sharp increase in the number of juveniles committing homicides with guns, and to school shootings. While the juvenile homicide rate has since fallen, and many studies have found that school violence is rare, the public perception of schools and students as dangerous remains.

Toledo’s safe-schools ordinance was seldom enforced until 1995, juvenile-court officials say. Arrests in the past year or so include two middle-school boys whose crime was turning off the lights in the girls’ bathroom and an 11-year-old girl who was arrested for “hiding out in the school and not going to class,” according to the police report, which also notes, “The suspect continuously does not listen in class and disrupts the learning process of other students.”

A CULTURE SHIFT

Educational researchers and school officials say that in many districts budget cuts are leading to larger classes and reductions in mental health services, which in turn increases behavior problems. In addition, educators complain that parents are less helpful today in helping schools enforce discipline.

But others say schools simply know they can send hard-to-manage students to court, and so they do. “The culture has shifted,” says Marsha Levick, legal director of the Juvenile Law Center of Philadelphia, which is representing an 8-year-old boy charged with disrupting his special-education class. “Juvenile court is seen as an antidote for all sorts of behavior that in the past resulted in time-out or suspension.”