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U.S. Department of Justice

Office of Justice Programs Office of Juvenile Justice and Delinquency Prevention State Relations and Assistance Division





Challenge to the States

The 1992 reauthorization of the Juvenile Justice and Delinquency Prevention (JJDP) Act of 1974 added Part E, State Challenge Activities, to the programs funded by the Office of Juvenile Justice and Delinquency Prevention (OJJDP). The purpose of Part E is to provide initiatives for States participating in the Formula Grants Program to develop, adopt, and improve policies and programs in 1 or more of 10 specified Challenge areas.

Challenge Activity H

Developing and adopting policies and programs designed to serve as alternatives to suspension and expulsion from school.

Addressing Disciplinary Problems: Suspension and Expulsion

ېنې س Suspension and expulsion are increasingly being used to combat crime and violence in America's schools. In October 1993, President Clinton visited Carlmont High School in Belmont, California, to praise the school's zero tolerance policy for guns and to sign an Executive Memorandum on implementation of the Gun-Free Schools Act of 1994 and the Safe and Drug-Free Schools and Communities Act.¹¹ Zero tolerance is a common sense policy," the President said. "Young people simply should not have to live in fear of young criminals who carry guns to schools."²

Congress has also addressed the problem of school violence in Goals 2000, the Educate America Act. It states that by the year 2000, every school in America will be free of drugs and violence and will offer a disciplined environment conducive to learning.³

A growing number of education officials are confronting stuents caught with weapons with a strict new edict: one strike ind you're out.⁴ With States at risk of losing Federal funds if they do not adopt mandatory expulsion rules for students caught with guns, the trend is clear. Beginning this year, all public schools in Michigan must expel first- through fifth-graders caught with a weapon. Fresno, California, school officials are instituting a similar policy, starting in fourth grade. Students in Broward County, Florida, now can be expelled simply for threatening violence.⁵

Traditionally, schools have used suspension or expulsion to punish students with disciplinary problems and to maintain an atmosphere in which learning can take place. According to the U.S. Department of Education, Office of Civil Rights projected national data, in 1992 there were 2,353,722 children suspended from public schools. Of these suspended children, 1,201,409, were white; 792,739 were black; 295,967, Hispanic; 38,785, Asian: and 24,733, American Indian (Office of Civil Rights, 1992). In the National School Boards Association (NSBA) survey published in 1993, 78 percent of school districts surveyed reported the use of suspension as a means of preventing violence in the schools. More districts used suspension than any other alternative. Expulsion was the fourth most widely used alternative, with 73 percent of districts reporting its use,⁶ but its rank is moving upward. In Fairfax County, Virginia, cases of expulsion increased sharply from 14 in the 1985–1986 school

year to 133 in 1993–1994. Of more than 1,200 third- through twelfthgrade students surveyed by Metropolitan Life; 15 percent reported that they had been suspended or expelled from school at some time. Half of these students had poor grades, and one in four lived in a neighborhood with



some or a lot of crime.⁷ The District of Columbia recently approved its first year-long expulsion policy for students caught with weapons. Previously, schools largely relied on month-long suspensions (more than 500 in 1993–1994).⁸

School districts may use in-school or out-of-school suspension, or some combination of both. The continuum of options ranges from timeout areas, to use of conflict resolution techniques, to onsite suspension, to complete expulsion—the last fast becoming the option of choice when students bring weapons to school.⁹ Community=centered schools may offer an alternative to students who have been expelled, have truancy problems, or cannot function in regular school programs. These schools provide individual attention, academic and social skill building, and community and family support.¹⁰

The newest expulsion laws, such as Michigan's, do not require the school system to create alternative programs for students caught with weapons. This has raised questions about whether more emphasis should be put on trying to rehabilitate students who are expelled. On the other end of the spectrum; New Jersey officials created alternative education sites in every county just for expelled students; in San Diego, more than 300 expelled students were sent to alternative programs during the first year of the city's zero tolerance policy.¹¹

In the NSBA survey, suspension and expulsion were found to be only moderately effective. As one respondent said, "Allowing a kid to sleep late, watch television, and spend a day unsupervised is hardly a punishment for most students." Another respondent noted, "Suspensions do not work. Students don't care whether they are suspended or not."12 Unfortunately, schools may suspend or expel students with disciplinary problems rather than address the underlying causes of their behavior. These disciplinary tactics will often reinforce the students' negative behavior and stack the deck against low-income and minority students. Exclusionary practices, such as suspension, expulsion, and transfer, can perpetuate racial and class stratification because a disproportionate number of urban African-American and Hispanic students come from circumstances that interfere with productive school behavior.13 Research has shown that the indicators used by school disciplinarians to identify at-risk students place those students at risk of dropping out of school. Out-of-school suspension or expulsion may also increase the chances that at-risk students will become involved in daytime crime. School officials have often made arbitrary decisions to suspend or expel students for off-campus offenses. The decisions made in several lower Federal and State court cases indicate, however, that students cannot be excluded from school for off-campus crimes unless they pose a threat of danger to those at the school.14

In-school suspension (ISS) is a popular alternative to out-ofschool suspension or expulsion. A survey of New York school districts found that 97 percent of senior high schools surveyed had some type of ISS program.¹⁵ In-school suspensions have the advantage of barring students from regular classrooms while requiring their attendance in a special classroom where they can continue with their school work. Suspended students may move to another classroom, a separate suspension room, or a separate campus and still be counted as present for the purposes of school attendance.

ISS rules must be reasonable, not punitive. Students should know the rationale for the restrictions and should not view the program solely as a method of punishment.¹⁶ A fully documented written statement of circumstances should given to the staff, the student, and parents, and the student should be afforded minimal due process rights under Goss v. Lopez. 17 Forexample, the California guidelines for safe schools recommend that administrators keep accurate and detailed suspension and expulsion records, including teacher referrals, school security referrals, and disciplinary or counseling responses, as well as suspension, transfer, and expulsion letters.¹⁸ One to 3 days is sufficient for suspension in most cases. A review of the student's progress should be made for any stay longer than that. Ideally, the suspension program should work with parents, provide equal or superior instruction for the student, and offer counseling, support services, and followup when possible.19

Although most ISS programs emphasize discipline and partial exclusion, they can offer an option, if used carefully and conscientiously, that lies between detention and out-of-school suspension. One study revealed that alternative programs were successful only insofar as they increased students' social involvement and attachment to school.²⁰ In light of this, some school districts have successfully modified traditional suspension or expulsion programs.

Promising Programs

The programs that follow-are just a sampling of promising approaches being implemented across the country. Contact information for these and other programs is listed in the Resource Section at the end of this paper. Most of the programs are described more thoroughly in *School Safety* (Winter 1995), which focuses on model alternative programs that work.²¹ As noted in that issue by Ronald D. Stephens, Executive Director of the National School Safety Center, alternative opportunities for disruptive youth may vary from district to district, but most have the following characteristics in common:

- Lower student-to-staff ratio.
- Carefully selected personnel.
- Strong leadership.
- Early identification of student risk factors and problem behaviors.
- Districtwide support of the programs.
- Intensive counseling/mentoring.

- Pro-social skills training.
 - Emphasis on parental involvement.
 - Very strict behavior requirements.
 - Curriculum based on real-life learning

Forest Lake Area Youth Services Bureau Suspension Program. This program is offered to students as an alternative to suspension from school. It provides a supervised and structured environment-for-students during suspension, which prevents further problems that could occur while a student is out of ... school-unsupervised. The program gives students and families access to additional services available through the Youth Services Bureau, such as individual and family counseling. They may also be referred to outside agencies for appropriate services.

Students are referred to the suspension program by school administration. The Youth Services Bureau sets up an intake ses sion for the student and parents to meet with an outreach worker. They discuss the student's functioning in school, at home, and in the community. Together, they set goals for the. student in a "Plan for Action" contract, which is used to moni tor his or her progress upon returning to school. During their suspension period, students report to the Youth Services Bureau during school hours and are expected to work on school ssignments, read books, or work on activities arranged by staff. They also complete daily evaluations of their progress which are submitted to their school when they return.

Contact: Barbara Swanson

Forest Lake Area Youth Services Bureau 407 South Lake Street Forest Lake, MN 55025 612-494-3685

Buechel Metropolitan; Louisville, Kentucky. The Jefferson County Public Schools in Louisville, Kentucky, created Buechel Metropolitan as an alternative school for students who are suspended or expelled from regular school because of disruptive behavior. Buechel can service a maximum enrollment of 300 middle and high school students. To earn their way out of Buechel, students must maintain an 85 percent attendance record, receive no out-of-school suspensions, pass the majority of their classes, and receive staff approval to return to their assigned school

Buechel's staff is the key to its success. Everyone from the bus driver to the principal is committed to helping students succeed. Buechel provides a highly structured, disciplinary, program with clearly defined and consistent consequences for inappropriate behavior. In addition, a variety of incentives and

eld trips are offered for improved attendance, grades, and bewior. What works at Buechel? Discipline, positive reinforcement, community_involvement, structure, and the staff's ability to change attitudes.

Contact: Maurice Risner. Buechel Metropolitan High School 1960 Bashford Manor Lane. Lousiville, KY- 40218 502-473-8316

Raymond Telles Academy, El Paso, Texas. The Raymond Telles Academy was built to address the problems of potential. dropouts from the El Paso Independent School District. All who attend the academy follow the district's management plan, which sets forth specific rules of conduct and general behavioral requirements, and provides sanctions against students not following the rules and regulations. The students range in age from 12 to 19 years and were recommended for expulsion from their regular schools for a variety of offenses.

The academy operates on a strict point and level system. Students earn points for appearance, attendance, grades, and behavior. As students learn to comply with these four essentials. they begin to move up from level one to level four. When they reach level four, they are eligible for consideration to return to their assigned schools. The entire program is bolstered by intensive counseling and parental involvement.

Contact: Charles F. Hart, Jr. Raymond Telles Academy 320 South Campbell El Paso, TX- 79901 915-542-0336

Tri-A, St. Louis, Missouri: After 10 years as an effective alternative for students with serious behavior problems; St. Louis Public Schools' Tri-A Outreach program expanded to a second location for the 1994-1995 school year-Tri-A stands for assessment, assignment, and adjustment. Potential enrollees, including expelled students and dropouts, are assessed, assigned to the program, and provided with individualized instruction. and counseling. Nearly all of the staff members teaching and administering the Tri-A program have asked for the assignment, after building impressive records in dealing with at-risk students at regular schools.

With the cooperation of area businesses, the effectiveness of Tri-A has been augmented in recent years by the use of workstudy programs, which build a larger sense of responsibility in the students. Summer programs for at-risk students also have helped reduce the probability of Tri-A students dropping out between semesters.

Contact: Larkin Williams --Madison-Tri-A Academy II 1118 South Seventh Boulevard St. Louis, MO 63104 314-231-1778

Lapham Park Assessment/Support Center, Milwaukee, Wisconsin. When it first opened in January 1984, Lapham Park was considered a "last chance" for students before expulsion. Its population grew to include a great number of students coming back to Milwaukee Public Schools from incarceration and residential treatment, as well as those returning from expulsion and administrative transfers for violent behavior or weapon possession.

The most comprehensive of Milwaukee's alternative education programs. Lapham Park provides students with many varied and positive school experiences in a caring and nurturing environment that is conducive to personal well-being. Students attend six classes. Reports to parents are issued every 6 weeks at conferences: a minimum of three parent/guardian conferences are required each semester. Each student is assigned a psychologist and a guidance counselor, who work with both the student and the parent. All students are assigned through the Department of Student Services and are returned to regular schools of programs after completing the Lapham Park_ program.

Contact: Dorothy Johnson

Lapham Park Assessment and Support Center 1758 North Ninth Street Milwaukee, WI 53205 414–263–5070

Palm Beach On-Line High School, Florida. The Palm Beach County School District found a unique alternative for expelled and adjudicated students: A combination of computer-assisted instruction and telecommunications provides students uninterrupted access to coursework from any remote location.

For disruptive students whose conduct prohibits attendance in a regular program, the remote access enables students to either maintain their educational services and progress or complete a substance abuse program while off campus. The program is based on individual need under the philosophy that the bottom line is helping kids. On-Line High School is in operation 24 hours a day, 360 days a year, and offers 90 courses:

During its first year. On-Line High School-served 87 students. As a direct result: 28 were able to graduate on time. In many cases, flexible contracts between schools and students defined expectations and responsibilities. Costs are negligible since readily available standard modems, phone lines, and lowpower computers are used. The program requires only one instructor per network server. Best of all, many students who had failed in the regular classroom setting experience success working at their own pace and tracking their accomplishments one course at a time.

Contact: David Brann Ön-Line High School School District of Palm Beach County Suite A-242 -3314 Forrest Hill Boulevard West Palm Beach, FL-33406–5869 407–434–8350 Long Beach Alternatives to Expulsion. Juvenile offenders in Long Beach have a new alternative to the California Youth Camp or returning to the streets, jobs and mandatory continuation of high school classes. The Alternatives to Expulsion program involves the juvenile court judges, the district attorney's office, the police and probation departments, the Board of Education of the Long Beach Unified School District, the City of Long Beach, and the Los Angeles County Office of Education. It also enlists the Long Beach Conservation Corps and the Job Training Partnership Act (JTPA) to provide two antidotes:to crime: jobs and education. The key to the program is community partnership.

Students involved in a variety of disruptive offenses are suspended, appear in juvenile court, and are offered a choice that beats the streets or incarceration. Students enroll in alternative classes and then work 4 hours a day in a job, where they earn a stipend. Working and studying lasts either one semester or a full year, depending upon the length of the expulsion and the seriousness of the offense.

Contact: Steve Fish

Alternatives to Expulsion Long Beach Unified School District 701 Locust Avenue Long Beach, CA 90813 310-436-9931, ext.-1620

Moving Forward Program, Pensacola, Florida. The Moving Forward Program of the Escambia County-School-District-isdesigned as a positive alternative for students in grades 9 through 12 who are disruptive in a traditional school-setting. The program is a collaborative effort of the school district and the 100 Black Men of Pensacola. Inc. a nonprofit organization of businessmen, attorneys, physicians, dentists, educators, and other professionals who are dedicated to improving the quality of life for community youth. Program staff include a full-time coordinator/counselor, a teacher, and program/intake specialists. Volunteer mentors work-with students on an individualbasis, and satellite services are provided by a principal and a psychologist. Requiring a minimum stay of 4 weeks, the program provides intensive academic support and counseling.

Contact: Ronald Taylor Moving Forward Program Escambia County School District: 1700 West Jackson Street. Pensacola, FL 32501 904-435-3263

Other Approaches

Some researchers believe that an in-school suspension plan should not be the first response to a disciplinary problem, but that energy should be directed toward understanding the cause of the problem. Many schools have begun to experiment with



innovative approaches to discipline problems in schools, parcularly those that involve violent conflicts. Conflict resoluon, peer mediation, and law-related education are alternatives that have been used successfully in some districts. Mediation and conflict resolution programs offer viable alternatives to suspension and expulsion that address students' needs rather than removing them temporarily or permanently from the school setting. Utilizing these types of programs has enabled many school-districts to reduce suspensions by 50 to 70 percent.²² Examples of established conflict resolution, peer mediation, and law-related education programs follow. Additionalprojects and organizations that support these approaches are listed in the Resources section.

Resolving Conflict Creatively Program (RCCP), New York City, New York. Begun in 1985 by the New York Public Schools and Educators for Social Responsibility; RCCP is considered one of the most promising antiviolence programs in existence. This program has an in-class mediation component that teaches young people to resolve conflicts peacefully. It now serves 70,000 young people in 180 schools throughout New York City. This comprehensive program includes all K-12 students—those at risk, and those not—as well as parents and administrators. The program shows children how to handle conflicts nonviolently through perspective taking, cost-benefit analysis, decisionmaking, and negotiation. Another dimension of the program is peer mediation, which trains selected groups f students in mediation skills so that they can serve their

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chools as conflict managers. A recent evaluation by Metis Associates, Inc., found that more than 80 percent of both teachers and students stated that they had been helped by mediators.
RCCP is now being piloted in four other school systems in Alaska, California, Louisiana, and New Jersey.²³

Project SMART (School Mediators' Alternative Resolution Team), Brooklyn, New York. This school-based mediation program teaches mediation, recruits mediators, conducts multicultural awareness training, mediates conflicts, and provides followup on all cases to determine whether all parties are complying with the agreement. Since Project SMART began in 1983, more than 230 students, and 64 adults have completed the 24-hour training, and more than 6,300 students have attended seminars. SMART mediators have helped resolve nearly 775 disputes. Suspensions for fighting have decreased dramatically.

Temple-LEAP (Temple-Law, Education, and Participation), Philadelphia: Rennsylvania: This project of the Temple University School of Law teaches conflict resolution through the prism of law-related and civic education (LRCE) to help people of all ages and backgrounds to get along. It views conflict resolution as an essential feature of LRCE; law is an important method by which society attempts to regulate conflict and prevent violence. Temple-LEAP provides public and pri-

vate schools, community groups, juvenile justice programs, and ther agencies across Pennsylvania and the surrounding region with LRCE-based violence prevention training and education materials. Temple-LEAP promotes conflict resolution education for students of all ages and encourages the development of cross-age community experiences with a violence prevention focus. Temple-LEAP's conflict resolution work is built on the belief that training in this area provides individuals with an understanding of themselves, others, rules, laws, and the legal system.

Conclusion

Designing programs that offer viable alternatives to permanent suspension and expulsion is no easy task. As noted by the National School Safety Center, a long-term solution will require educators and administrators to work with parents, law enforcement officials, and the community to implement the best strategies to alleviate violence in our nation's schools.²⁴ The programs described here offer hope, and they may serve as models for other districts to take up the challenge.

Resources

Programs

Alternative to Expulsion Program, Cleveland Public Schools, 1380 East Sixth Street, Cleveland, OH 44114; Susan Peters, Program Administrator: 216-523-7993.

Baltimore County Public Schools, Towson, MD 21204; 410-887-4310.

Behavior Change Program, Broward County Public Schools, 600 Southeast Third Avenue, 10th Floor, Fort Lauderdale, FL 33301; 305-765-6271.

Benson Union High School District, P.O. Box 2030, Benson, AZ 85602; 602-586-2213, ext. 616.

Chesterfield Communities In Schools, P.O. Box 10, Chesterfield, VA 23832; 804-560-5706.

City-As-School, Buffalo Alternative High School, D'Youville College, 320 Porter Avenue, Buffalo, NY 14201; 716-888-7185

Children's Creative Response to Conflict, P.O. Box 521, 523 North Broadway, Nyack, NY 10960-0271; 914-353-1796.

Clark County School District: Alternative Education Division, 2701 East St. Louis Avenue, Las Vegas; NV 89104; 702-799-8625.

Community Board Program, 1540 Market Street, Suite 490, San Francisco, CA 94102; 415–552–1250; Fax 415–626–0595.

DeKalb County School System, Student Relations, School Psychologist, 3770 North Decatur Road, Decatur, GA 30032; 404–297–1200. Educators for Social Responsibility, School Conflict Resolution Programs, 23 Garden Street, Cambridge, MA 02138; 617-492-1764.

Fairfax County Public Schools, Alternative Schools, Belle Willard Administrative Center, 10310 Layton Hall Drive; Fairfax, VA 22030; 703-246-7780.

Fulton County School System, 786 Cleveland Avenue SW. Atlanta, GA 30315; 404–763–6790.

Houston Independent School District, Hattie Mae White Administration Building, 3830 Richmond Avenue, Houston, TX 77027, 713-892-6300

John H. Martyn High School, 1108 Shrewsbury Road, Jefferson, LA 70121; 504–833–3711.

Mesa County Valley School District 51, 310 North Seventh Street, Grand Junction, CO 81501; 303-242-4350.

New Chance Program, Don Bosco Center, Kansas City School District, 531 Garfield, Kansas City, MO 64124; 816-691-2900.

New Start Program, Granite School District, 4055 South 2300 East, Salt Lake City, UT 84124; 801–273–2161.

Northdale Magnet Academy, 1555 Madison Avenue, Baton Rouge; LA 70802; 504-383-1812-

Resolving Conflict Creatively Program (RCCP), 163 Third Av enue, Room 113, New York, NY 10003; 212-387-0225

Safe School Initiatives, New Jersey State Department of Education, CN 500, Trenton, NJ 08625; 609-292-0321.

Zero Tolerance Program, San Diego City Schools, 4100 Normal Street, Annex 8, San Diego, CA 92103, 619-293-8420.

Organizations

American Bar Association, Center on Children and the Law, 541 North Fairbanks Court, Chicago, IL 60611-3314; 312-988-5731.

Center for Civic Education, Law in a Free Society, 5146 Douglas Fir Road, Calabasas, CA 91302, 818-591-9321.

Consortium of Universities, National Institute for Citizen Education in the Law (NICEL), 711 G Street SE., Washington, DC 20003, 202–546–6644.

Constitutional Rights Foundation, 601 South Kingsley Drive Los Angeles, CA 90005; 312–663–9057.

Juvenile Justice Clearinghouse, P.O. Box 6000, Rockville, MD 20849-6000, 800-638-8736.

National Association for Mediation in Education (NAME), 205 Hampshire House, Box 33635, University of Massachusetts, Amherst, MA 01003–3635; 413–545–2462; Fax 413–545–4802. National Institute for Citizen Education in the Law (NICEL); 711.G Street SE., Washington, DC 20003; 202–546–6644 Fax 202–546–6649.

National Institute for Dispute Resolution (NIDR), 1726 M-Street NW., Suite 500, Washington, DC 20036, 202-466-4764.

National School Boards Association (NSBA), 1680 Duke Street, Alexandria, VA 22314; 703–838–6722; Fax 703–683–7590.

National School Safety Center, 4165 Thousand Oaks Boulevard, Suite 290, Westlake Village, CA 91362, 805–373–9977; Fax 805–373–9277:

Phi Alpha Delta Public Service Center, 1511 K Street NW. Washington, DC 20005; 202-638-2919.

Endnotes

¹ "Memorandum on Implementation of Safe Schools Legislation," Weekly Compilation of Presidential Documents 30(43), October 31, 1994

² Remarks by the President to the students of Carlmont High School and in signing the presidential memorandum "Zero Tolerance for Guns in Schools:" October 22, 1994. Belmont, CA.

NSBA. 1993, p. 4.

⁴ Sanchez, R. "Expulsions Becoming Popular Weapon in U.S. Schools," *The Washington Post* January 20, 1995, p. A-1.

Sanchez, R. The Washington Post-January 20, 1995, p. A-1-

NSBA: 1993, p.*7.

⁷ The Metropolitan Life Survey of the American Teacher, 1993 Violence in American Schools, New York: Louis Harris and Associates, p. 54.

⁸ Sanchez, R. The Washington Post January 20, 1995, p. A-1

۶ Ibid. ۲۰

¹⁰ National School Safety Center (NSSC), 1990. School Safety Check Book. Malibu; CA: Pepperdine University Press, p. 21.

¹¹ Sanchez, R. *The Washington Post* January 20, 1995, p. A-17.
¹² NSBA, 1993, p. 8.

¹³ Bowditch, C. 1993. "Getting Rid of Troublemakers: High School Disciplinary Procedures and the Production of Dropouts." Social Problems 40(4):493–509.

¹⁴ Hobbs, G.J. 1977, "In-School Punishment for Out-of-School Offenses," *Georgia Association of Middle School Principals* Journal 1(2)(Fall):54-59 ¹⁵ Foster, H.L., and H.R. Kight. 1988. A Study of Current In-School Suspension Programs in New York State. Buffalo: State University of New York, Institute on Classroom Management and School Discipline, p. 11.

¹⁶ Garibaldi, A. 1982. "In-School Suspension." In D.I. Safer (ed.), *School Programs for Disruptive Adolescents*. Baltimore: University Park Press, pp. 311–312.

¹⁷ National School Resource Network (NSRN). 1981 (April). School Discipline Handbook. Washington, DC, p. 35:

¹⁸ California Department of Education. 1989. Safe Schools: A Planning Guide for Action. Sacramento, CA, p. 24.

¹⁹ NSRN. 1981, p. 35.

²⁰ Gottfredson, D. as cited in Gaustad, J. 1992 (December). School Discipline. Eugene: University of Oregon, ERIC Clearinghouse on Educational Management.

²¹ School Safety. The National School Safety Center News Journal. Winter 1995. Malibu, CA: Pepperdine University Press.

²² American Bar Association. 1993. America's Children at Risk: A National Agenda for Legal Action. Washington, DC, p. 31. ²³ DeJong, W. 1994 (August). Building the Peace: The Resolving Conflict Creatively Program (RCCP). Washington, DC:
U.S. Department of Justice, Office of Juvenile Justice Programs, National Institute of Justice.

²⁴ NSSC. School Safety Work Book. 1995.

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