



National PTA[®]

2012 Public Policy Agenda

112th Congress, Second Session

Dear Advocate:

Founded in 1897, the National Parent Teacher Association® (PTA) is comprised of more than five million members, including parents, students, educators, school administrators, and community leaders. With more than 25,000 local units, PTA flourishes in all 50 states, the District of Columbia, the U.S. Virgin Islands, Puerto Rico, and the Department of Defense schools in Europe and the Pacific.



One of PTA's founding principles is our dedication to engaging parents in the education of their children. Since our inception, PTA has championed every child, regardless of socioeconomic background, and worked to address societal ills such as child labor, childhood diseases, and the unfair and punitive treatment of children involved in the justice system. More than 115 years later, PTA continues to work with policymakers to bolster one of our founding principles— family engagement in education from birth through high school graduation. In 2012, PTA will continue to advocate for all children to have the opportunity to grow and achieve success through quality education and ensure that all children reach their highest potential.

As the oldest and largest volunteer child advocacy association in the United States, PTA's legacy of influencing federal policy to protect the education, health, and overall well-being of children has made an indelible impact on the lives of millions of children and families. Within the federal public policy arena, PTA is fighting to ensure opportunity and equity for all children. We invite you to join with us in advocating on behalf of every child with one voice.

Warm regards,

A handwritten signature in black ink that reads "Betsy Landers". The signature is fluid and cursive.

Betsy Landers
National PTA President

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QUALITY EDUCATION FOR EVERY CHILD

National PTA is committed to educational opportunity and equity for all children. For more than 115 years, PTA has advocated for improvements to federal education policy for the benefit of *every* child. In 2012, we will continue to work with Congress and the Administration on reauthorization of the Elementary and Secondary Education Act (ESEA), currently known as No Child Left Behind (NCLB), improvements to special education through the Individuals with Disabilities Education Act (IDEA), and quality early childhood education programs such as Head Start, Early Head Start, and the Childcare and Development Block Grant. Additionally, National PTA will continue to be a strong voice for increased federal investment in education.

GENERAL EDUCATION

The Elementary and Secondary Education Act, referred to as No Child Left Behind (ESEA-NCLB) is up for reauthorization, which presents the opportunity to address flaws within the nation's law governing the federal role in general K-12 public education, and ensure that all students graduate from high school college- and career-ready.

Leading researchers, expert practitioners, and advocates define family engagement in education as:

“A shared responsibility of families and schools for student success, in which schools and community-based organizations are committed to reaching out to engage families in meaningful ways and families are committed to actively supporting their children's learning and development. This shared responsibility is continuous from birth through young adulthood and reinforces learning that takes place in the home, school and community.”

More than 40 years of research shows that when families are engaged, students are more likely to score higher on tests, earn higher grades, attend school regularly, have better social skills, demonstrate improved behavior, adapt well to school, graduate from high school on time, and pursue postsecondary education, regardless of their income level.¹ Recent research on school reform demonstrates that meaningful family engagement is an essential component, as essential as school leadership and curriculum alignment, in successful and sustainable school turnaround reforms.²

Section 1118 of ESEA-NCLB requires school districts and schools receiving Title I funds to: 1) develop written parent involvement policies in partnership with parents, 2) build capacity for parent involvement by providing technical assistance to parents to improve their children's academic achievement; and 3) inform parents and organizations of the existence and purpose of Parental Information and Resource Centers. Additionally, schools must provide parents with timely, understandable information on such matters as school programs, curricula, academic assessments, and expectations for student performance.

Districts receiving more than \$500,000 in Title I funds must set aside at least one percent (a minimum of \$5,000) of the funds for parent involvement activities. Districts are also required to ensure schools' compliance with ESEA-NCLB, while state educational agencies are required to review districts' parent involvement policies and practices to ensure they meet ESEA-NCLB requirements.

Parental Information and Resource Centers (PIRCs) were established in 1995 and later authorized under the (ESEA-NCLB). PIRC are funded through a competitive grant process to nonprofit organizations and/or consortia of nonprofits and school districts administered by the U.S. Department of Education's Office of Innovation and Improvement. Grantees provide statewide leadership, capacity-building, and technical assistance in the implementation of effective family engagement strategies to improve student academic achievement.

Operating until September 30, 2011, the PIRC program was the only federal funding stream dedicated to capacity-building and technical assistance in the implementation of proven family engagement strategies. Using executive discretion, the U.S. Department of Education eliminated program funding for fiscal year 2011, dismantling the only support infrastructure for family engagement in education.

Family engagement in education continues to be the association's top federal policy priority; however, as the nation's leading voice for parents and school-age children, PTA is also fighting for improvements to the law beyond family engagement provisions.

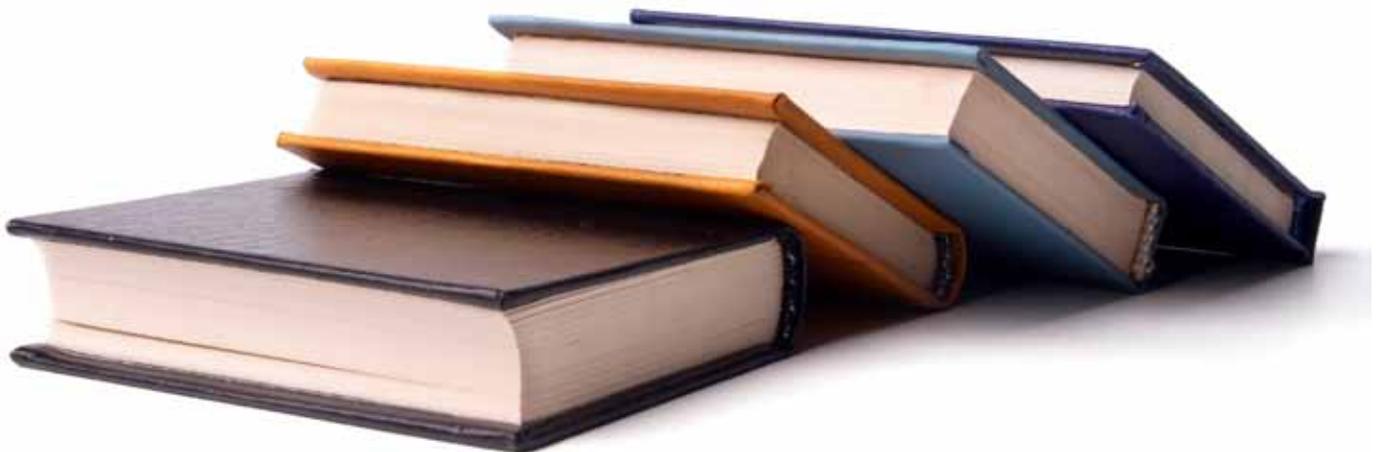
GENERAL EDUCATION FEDERAL POLICY RECOMMENDATIONS

- Retain and strengthen key parent involvement provisions in ESEA-NCLB by creating incentives on the state, district, and school levels to meaningfully engage families in their children's education using research-based strategies and practices.
- Codify PTA's National Standards for School-Family Partnerships and provide a statutory definition and framework on effective family engagement in education in section 1118 of Title I.
- Increase the Local Educational Agency (LEA) minimum reservation of funds for parent involvement activities under section 1118 from one percent to two percent and amend the distribution of funds to allow for innovative and research-based districtwide activities to increase family engagement.
- Establish a Family Engagement and Responsibility Fund as an optional state educational agency (SEA) reservation of Title I funds to encourage investment in statewide capacity building, coordination, and sustainability of practice in family engagement in education.
- Prepare, train, and recruit teachers and principals in effective models of family engagement that increase student achievement.
- Safeguard and strengthen the Parental Information and Resource Centers (PIRCs) to focus on high-quality capacity-building, training, and technical assistance to schools, LEAs, and SEAs to scale-up research-based family engagement strategies across the state.
- Extend family engagement to disadvantaged youth by requiring each SEA and LEA receiving funds under the Neglected and Delinquent Youth program to include a strategy for family engagement in education within their application and state plan, and each correctional facility to prepare an educational services and transition plan for each child or youth served and establish family engagement policies consistent with Section 1118 of Title I.

KEY FACTS

- Family engagement can raise student academic achievement so substantially that schools would need to increase spending by more than \$1,000 per pupil to gain the same results.³
- Teachers are much more likely to remain in schools where parents are involved with the school and where they report high levels of trust with parents.⁴
- Chronic early absenteeism predicts lower levels of academic achievement for low-income children by the end of fifth grade⁵ and has highly negative consequences for youth in middle and high school, as well as negative effects on their employability as adults.⁶ Family outreach and strength-based services are an effective intervention in combating early chronic absenteeism.
- Schools integrating the arts into the curriculum as part of a comprehensive education reform strategy are documenting positive changes in the school environment and improved student performance.⁷
- Experts point to student improvements in reading and language skills, math skills, social skills, motivation to learn, and critical thinking skills resulting from a well-rounded education.⁸
- Under-qualified and ill-prepared teachers are more highly concentrated in schools serving low-income and minority students than in more affluent schools.⁹
- Proficiency standards in ESEA-NCLB measure only student performance – and not academic growth.
- Experts suggest defining chronic absenteeism as missing 10 percent or more of the school year, including both excused and unexcused absences.¹⁰

- Require the U.S. Department of Education to develop recommended metrics for research and evaluation that will support states, districts, and schools in the implementation and evaluation of effective family engagement practices and policies.
- Ensure that state-developed accountability models assess student academic growth when measuring student outcomes.
- Require states to set ambitious, but achievable, performance targets in subjects included in state-developed accountability systems to ensure that all students, regardless of subgroup, achieve college- and career-readiness and all teachers and parents are equipped with meaningful achievement goals.
- Amend the federal definition of *Highly Qualified Teacher* to support full completion of state-approved traditional or alternative teacher certification and enact safeguards to ensure equal distribution of Highly Qualified Teachers.
- Improve student achievement by enacting policies to ensure that all students have increased access to high quality instruction for a well-rounded education.
- Establish within the U.S. Department of Education a senior advisor for family engagement in education to articulate a national vision of family engagement in education, provide interagency and intra-agency coordination, and develop a family engagement research agenda.
- Require “school-parent compacts” to support school and family partnerships in the development of recommendations for student attendance, expectations and supports for student behaviors. Compacts must include rational disciplinary policies that include the implementation of school-wide Positive Behavioral Interventions and Supports (PBIS) or similar evidence-based programs, and phase-out zero-tolerance policies and out-of-school suspension that contribute to the achievement gap.
- Increase investment for technical assistance, training, and implementation of the PBIS model of addressing behavioral problems in schools, making it an allowable use of funds under ESEA-NCLB.
- Assist states in the development and implementation of integrated data systems in schools and districts, allowing for:
 1. Improved accuracy and consistency of local data on attendance maintained by individual schools and district-wide;
 2. Improved monitoring and reporting on chronic absenteeism by grade school and by school; and
 3. Use of data to inform implementation of school-wide strategies and to trigger supports and strength-based interventions for students and their families.
- Develop and encourage states to adopt a common definition of chronic absenteeism.



SPECIAL EDUCATION

The **Individuals with Disabilities Education Act (IDEA)** is the main federal program authorizing state and local aid for special education and related services for children with disabilities. IDEA requires states to provide a free, appropriate public education (FAPE) to children with disabilities so that they can be educated to the greatest extent possible, along with all other children.

IDEA has been updated several times since its first enactment as the Education for All Handicapped Children Act in 1975. In the 1986 reauthorization, Part C (Infants and Toddlers) was developed as part of the law, and in 1990, transition planning was introduced as a requirement. In 1997, Congress authorized grants for parent training and provided a dispute resolution process for parents who file grievances with their state or local education agency, thereby strengthening the role of parents in their child's education. In 2004, President Bush signed the Individuals with Disabilities Education Improvement Act, a major reauthorization that worked to remove the barriers separating special education from general education.

IDEA requires children to have an **individualized education program (IEP)**, in order to receive special education services. The IEP includes information about a child's present levels of performance on various tests and measures and includes information about goals and objectives, specifically how the child's educational problems will be addressed. The purpose of the IEP is to set reasonable learning goals for the child and to specifically state the services that the school district will provide. Parents have the right to be actively involved in the development of their child's IEP.

Parent Training and Information (PTI) Centers provide training, information and support to parents of children up to age 26 with special needs. PTI Centers are authorized in Part D of IDEA and are funded by the U. S. Department of Education Office of Special Education Programs (OSEP). There is a PTI Center in each state and some states also have **Community Parent Resource Centers (CPRCs)**. The CPRCs have the same scope of work as the PTI Centers, but the CPRCs focus on reaching underserved populations, including low income families. Each PTI Center assists parents to better understand the nature of their child's disabilities and educational, developmental, and transitional needs. PTI Centers assist parents in the development of the their child's IEP, as well as assist parents in obtaining the appropriate information about the range, type, and quality of programs, services, and resources for children with disabilities both in school and at home.

KEY FACTS

- Almost 6 million students in the United States receive special education services under IDEA Part B.¹¹
- Of all students who receive special education services, 79 percent spend at least 40 percent of their time in a regular classroom.¹²
- Research shows that students with disabilities are more likely than non-disabled students to be involved in the school disciplinary process. In a given year, approximately one in ten students with disabilities receives multiple in-school suspensions, with one percent being expelled.¹³
- Improved behavior support improves academic outcomes for special education students.¹⁴
- According to a recent report on post-secondary outcomes for youth with disabilities, two in five youth with disabilities continue on to post-secondary education within 4 years of leaving high school.
- From 1994-95 through 2003-04, the percentage of students with disabilities who graduated with a regular high school diploma increased from 42.2 percent to 54.5 percent.¹⁵
- Youth with disabilities were more likely to live in low-income households than youth in general. More than one-third (37 percent) of youth with disabilities came from households with incomes of \$25,000 or less, compared with 20 percent of the general population.¹⁶
- Compared with the general population, youth with disabilities are twice as likely to have a head of household that has not graduated from high school (21 percent vs. 10 percent) and their head of household is much more likely to be unemployed (17 percent vs. 11 percent).¹⁷
- According to a recent report, school staff reported that nearly 25 percent of parents with 17 or 18 year old special education students are not provided with information about their child's post school services as part of transition planning.¹⁸

Through the years, the National PTA has worked to improve IDEA. PTA will continue to work with Congress through reauthorization to increase coordination between implementation of ESEA and IDEA, ensure all students graduate college- and career-ready, and see that family engagement remains a fundamental principle of IDEA and that the rights of children with disabilities and their parents, are fully protected.

SPECIAL EDUCATION FEDERAL POLICY RECOMMENDATIONS

- Include and codify a statutory definition of family engagement in education in the IDEA Part A Section 602. Codify PTA's research-based National Standards for Family-School Partnerships as a best practice model for family engagement in special education. Disseminate and publicize these standards to family and parent groups and other stakeholders.
- Amend IDEA to require transition planning services for special education students to begin no later than the age of 14.
- Encourage school districts to employ transition planning coordinators to assist in the facilitation of transition planning services for special education students and their families.
- Require the U.S. Secretary of Education to convene a national body of family engagement researchers and expert practitioners to develop indicators on effective family engagement in special education.
- Include the special education population in any development or implementation of student and school accountability measures and/or performance targets under the Elementary and Secondary Education Act.
- Ensure all students, including special education students, receive quality instruction from teachers and student support personnel who have, at a minimum, successfully completed state licensure or certification processes.
- Increase the investment in training and professional development on effective family engagement for special education teachers and administrators.
- Require the inclusion of a classroom-based behavioral management plan that focuses on prevention during the development of every student's IEP and 504b plan. Require that both general and special education teachers know how to respond to behavioral problems with positive behavioral interventions and supports (PBIS).
- Require that each student's IEP include short-term goals that are actively monitored, measured by time-framed benchmarks, and specifies indicators of success as a component of the student's annual yearly goals.
- Require the U.S. Department of Education to implement a robust data collection effort that captures data and improves monitoring and reporting systems on effective family engagement in special education.
- Require the U.S. Department of Education to issue a comprehensive report on best practices on behavior management plans for students with disabilities.
- Require the Government Accountability Office (GAO) to produce a report on the number of suspensions, expulsions, and disciplinary actions for students with disabilities.

EARLY CHILDHOOD EDUCATION

The evidence is clear: if we want to prepare our nation's children for success in the competitive 21st-century economy, education must begin long before they enter school. Providing effective, targeted supports and interventions to children and parents beginning at birth will improve a number of outcomes, including improved graduation rates, increased employment and earnings, and reduced likelihood of arrest and incarceration.¹⁹

Early childhood education can be especially beneficial for low-income children, those who are most at risk for school failure and least likely to have access to high-quality programs. Research shows that targeted interventions during early childhood can narrow the school readiness gap and help identify student needs and effective interventions to improve student learning before children even enter the classroom.^{20,21}

PTA supports federal and state incentives for high-quality child care and preschool programs that are affordable and accessible, coordinated at all levels (federal, state, and local), and characterized by high standards for teaching, training, health, and safety. PTA continues to advocate for early childhood programs that incorporate strong family engagement components. There are several vehicles within Congress, the U.S. Department of Education, and the U.S. Department of Health and Human Services to meet the needs of young children and their families, including ESEA-NCLB, the Child Care and Development Block Grant (CCDBG), Head Start and Early Head Start.

EARLY CHILDHOOD EDUCATION FEDERAL POLICY RECOMMENDATIONS

- Incentivize and encourage family engagement initiatives that begin at birth, in the home, and other early learning environments, in order to ensure coordinated family engagement throughout a child's lifespan and in all learning settings.
- Encourage local school districts to use Title I ESEA-NCLB funding to support high-quality early childhood education programs for eligible children aged 0 to 5.
- Incentivize and encourage state and local educational agency partnership with families and community-based organizations to support the alignment, collaboration, and transitions between early learning programs and programs for school-age children in order to improve learning outcomes, including developmental milestones and early literacy.

KEY FACTS

- By the age of 40, adults who participated as 3 and 4 year olds in quality preschool were more likely to have graduated from high school, earn more money, and commit fewer crimes than those adults who did not attend a quality preschool program.²²
- Studies have found that quality early preschool programs can lead to a decreased need for special education services and interventions during a child's academic career.²³
- Students that complete prekindergarten or similar early childhood programs achieve at higher levels and graduate at higher rates than their peers who did not participate in these programs.²⁴
- Research demonstrates that teachers with training in early childhood development are better equipped to facilitate young children's language, cognitive, and social-skills development.²⁵
- Home visiting programs have been found to significantly improve parenting behaviors and attitudes.²⁶



- Include data collection strategies as mechanisms for accountability and quality improvement. In particular, provide incentives to states to link early childhood program data to K-12 data in an effort to create comprehensive state longitudinal data systems that trigger appropriate and cost-effective interventions and supports for children and families.
- Include all early childhood education teachers, including Early Head Start and Head Start teachers, home child care providers, state pre-K teachers, and school-based community teachers in professional development programs under Title II of ESEA-NCLB.
- Include mandatory funding for evidence-based home visitation programs and models, originally authorized as a grant program under the Patient Protection and Affordable Care Act, to improve outcomes and opportunities for vulnerable children and families.
- Codify quality early education as a fifth assurance in the Race to the Top program.
- Provide increased funding for the the Child Care Development Block Grant.



EDUCATION FUNDING

In an increasingly global economy, the U.S. must ensure that all students graduate college- and career-ready: equipped not only with academic proficiencies in core subjects, but also with critical thinking skills.

Despite widespread agreement on the need for a first class system of public education delivery, funding for the U.S. Department of Education accounted for just 3% of the federal budget in fiscal year 2010.²⁷

According to the Programme for International Student Assessment, the United States ranks near the bottom of 30 Organization for Economic Cooperation and Development countries in math (30th), science (23rd), and reading (17th).²⁸ There are significant differences in academic achievement between students of different ethnic, socioeconomic, and geographic backgrounds in the United States. These “achievement gaps” are found in nearly every measure of achievement, including math and reading test scores, high school graduation rates, and rates of college enrollment and college completion.²⁹ The achievement gaps are further widened by inequitable distribution of resources in publicly funded schools.

Although federal investment in education increased in fiscal year 2009 thanks to the American Recovery and Reinvestment Act (ARRA), those federal investments are now sunseting.³⁰ This, in combination with increasingly strained state and local budgets lead more than 30 states to implement targeted spending cuts negatively affecting k-12 education for fiscal year 2010.³¹ While federal law mandates educational equity and opportunity for all children, not enough federal resources are allocated to serve all students and families who are eligible for critical elementary and secondary education programs, including Parental Information and Resource Centers, Title I of ESEA-NCLB, and IDEA.

PTA believes that to ensure that schools and districts can provide quality education to all children, graduate all children college- and career-ready, and meet the accountability standards set forth in ESEA-NCLB, greater financial support is critical. With state and local government budgets tightening, schools are struggling to continue providing basic educational services. At the same time, demands have been placed on schools to improve student achievement. Without sufficient resources to engage parents, hire qualified teachers, expand compensatory education programs, and address other challenges they face, schools cannot make needed improvements nor implement needed reforms. Additional targeted federal funds are needed to help schools implement interventions designed to improve student achievement.

KEY FACTS

- In Fiscal Year 2010, Department of Education discretionary and mandatory funding – including all K-12, special education, career and technical education, higher education, and departmental administration expenditures – totaled 3 percent of the federal budget.²⁷
- Increasing a country’s average level of schooling by one year can increase economic growth by 5 to 15 percent.³²
- During the postwar years from 1948 to 1973, education accounted for 29 percent of the increase in gross domestic product (GDP) and economic innovation accounted for 37 percent. Together, the direct and indirect benefits of increases in education accounted for two-thirds of the increase in U.S. economic growth.³³



EDUCATION FUNDING FEDERAL POLICY RECOMMENDATIONS

- Restore funding for the Parental Information and Resource Centers (Title V, Part D, Subpart 16 of ESEA-NCLB).
- Increase funding for Titles I and III of the Elementary and Secondary Education Act.
- Increase funding for Individuals with Disabilities Education Act state grants so that the federal government provides for at least 20 percent of the excess cost of educating children with disabilities (average per pupil expenditure or APPE). This must be the first step in reaching the 40 percent of APPE Congress promised to pay when the law was first enacted.
- Restore funding for Individuals with Disabilities Education Act national programs to FY 2003 levels, adjusted for inflation.
- Maintain or increase funding for Parent Training Information (PTI) Centers (IDEA Part D).
- Maintain or increase investments in quality early learning programs, including Early Head Start, Head Start, the Child Care and Development Block Grant, and the Maternal, Infant, and Early Childhood Home Visiting Program.
- Provide funding for the Early Learning Challenge Fund within the Race to The Top program.



CHILD HEALTH AND NUTRITION

PTA has been closely involved with federal health policy since its inception, including pivotal roles in the creation of both the United States Public Health Service and the Department of Health and Human Services. In 1923, PTA worked to ensure the provision of hot lunches in schools. In the 1940s and 1950s, PTA was involved in the establishment and expansion of the school milk programs. PTA also worked to ensure the original passage of both the National School Lunch Act and the Child Nutrition Act. Most recently, the PTA successfully advocated for the reauthorization of the Child Nutrition Act.

The Child Nutrition Act was reauthorized through the Healthy, Hunger-Free Kids Act that passed Congress and was signed into law by President Barack Obama on December 13, 2010. **The Healthy, Hunger-Free Kids Act** dramatically improves the quality of the National School Lunch and Breakfast programs, increases the reimbursement rate for meals served, supports community efforts to reduce childhood hunger and – for the first time – establishes nutrition standards for all foods sold in schools. As the United States Department of Agriculture (USDA) is tasked with implementing portions of the updated law, PTA is committed to ensuring key provisions are updated as the law intends.

The Healthy and Hunger-Free Kids Act includes a requirement that the USDA promulgate improved nutritional standards for the **National School Lunch Program (NLSP)** and National School Breakfast Program (NSBP) that align with the 2005 Dietary Guidelines for Americans. As an incentive and to compensate for the increased cost of providing healthier meals, schools reaching these updated nutrition standards will receive a six cent reimbursement rate increase per meal served.

School meals served under the School Lunch and Breakfast programs have long been required to meet nutrition standards. In contrast, the nutrition standards for foods sold outside the meal programs (competitive foods) are largely unregulated. **Competitive foods** include those sold in vending machines, cafeteria a la carte menus, and school stores. Given the high rate of obesity in our nation's school children and the low-nutrition levels of most competitive foods, these foods undermine both the financial and nutritional investment of the National School and Lunch Programs.

KEY FACTS

- More than 31 million students participate in the National School Lunch Program each day.³⁴
- Nearly 60 percent of students participating in the National School Lunch Program receive a free or reduced-price lunch.³⁵
- More than 11 million students participate in the National School Breakfast Program daily.³⁶
- Nearly 10 million students receive a free or reduced-price breakfast.³⁷
- Childhood obesity rates in America have tripled over the last thirty years, with nearly one-third of children in America overweight or obese. In African American and Hispanic communities, this figure increases to nearly 40 percent.³⁸
- Nearly 70 percent of obese children suffer from either high blood pressure or high cholesterol.³⁹
- Approximately half of all students receiving free or reduced lunch through the School Lunch Program participate in the School Breakfast program.⁴⁰



Accordingly, the Healthy and Hunger-Free Kids Act of 2010 requires the USDA to establish nutrition standards for all foods sold inside of schools participating in the National School Lunch and Breakfast programs. The law allows for exemptions for school sponsored fundraisers, if approved by the school and infrequent in nature. Foods that are not sold (birthday cakes provided by parents, packed lunches from home, etc.) are not regulated by the law.

Additionally, the Healthy and Hunger-Free Kids Act of 2010 includes improvements to **Local Wellness Policies (LWPs)**, building upon policy that PTA and its coalition partners fought successfully to include in the Child Nutrition and WIC Reauthorization Act of 2004. As a result of the 2004 reauthorization, all schools participating in the National School Lunch Program were required to establish LWPs. The 2010 reauthorization expanded the scope of the program, including a critically important requirement that schools both permit parents to participate in the development of LWPs and update and inform parents on the content and implementation of the policies. PTA continues to support the involvement of parents in school wellness councils and other committees working to improve school meals programs. Not only is it the right of parents to be involved in the major decisions affecting their children's health and well-being, but parent involvement has the additional benefit of engaging – and in many cases – educating parents and the surrounding community about the importance of healthy nutrition in the daily lives of their families.

CHILD HEALTH AND NUTRITION FEDERAL POLICY RECOMMENDATIONS

- Support the implementation of the USDA's proposed update of nutrition standards for the National School Lunch and Breakfast programs, as intended by the Healthy and Hunger-Free Kids Act of 2010.
- Support language in the Healthy and Hunger-Free Kids Act of 2010 that requires the USDA to set nutrition standards for competitive foods.
- Ensure USDA competitive foods regulations protect school-based fundraisers that have historically played an integral role in fundraising opportunities for student-based school organizations.
- Ensure the comprehensive implementation of updated LWP requirements that improve schools' engagement and accountability to families in the development and execution of LWPs.



JUVENILE JUSTICE AND DELINQUENCY PREVENTION

Protecting the rights of children and youth involved in the justice system has long been at the core of PTA's advocacy work. As early as 1899, PTA convention delegates passed a resolution supporting the extension of juvenile courts and probation systems to protect children and youth accused of offenses from being incarcerated with adult criminals.⁴¹

First passed in 1974 and reauthorized in 2002, the **Juvenile Justice and Delinquency Prevention Act (JJDP)** is the primary federal law regarding juvenile justice reform. The law provides grants to states to implement juvenile delinquency prevention and intervention programs. JJDP is due for reauthorization, providing opportunities to improve the law for children and youth. Of particular interest in PTA's 2012 Public Policy Agenda are two critical issues for juvenile justice reform: **the Deinstitutionalization of Status Offenders (DSO) core requirement**, and the **Jail Removal and Sight and Sound core requirements** that protect children from being locked up with adults.

Children arrested for non-criminal behaviors, such as truancy, are in need of family-focused, school and home-based interventions, rather than secure placement in dangerous, overcrowded juvenile detention centers that expose them to delinquent youth. Congress recognized this in 1974 when it included the Deinstitutionalization of Status Offenders (DSO) core requirement in JJDP to ensure that youth with non-criminal offenses would be treated differently than delinquent children.⁴²

However, JJDP was amended in 1980 to include the **Valid Court Order (VCO)** exception, which allowed children with status offenses to be jailed for violating a court order not to commit subsequent status offenses. This has undermined the DSO core requirement, leading to significant numbers of children being held unnecessarily in secure detention when other community-based interventions are more appropriate.

KEY FACTS

- Each year, approximately 7,500 children are held in adult jails before they are tried.⁴³
- Within three years of release, roughly three-quarters of youth are rearrested.⁴⁴
- A recent report by the Annie E. Casey Foundation found that states which lowered youth confinement rates the most saw a greater decline in juvenile violent crime arrests than states which increased incarceration rates or reduced them more slowly.⁴⁵
- Family-focused, strength-based alternatives to detaining children with status offenses are less costly and more effective, while detention frequently leads to interruption of education, children failing to return to school after release, future delinquency, and a waste of taxpayer dollars.⁴⁶
- Truancy cases accounted for 35 percent of all petitioned status offense cases handled in 2004, followed by runaway ungovernability (27 percent), liquor possession (19 percent), and curfew (10 percent) offense cases.⁴⁷
- Research indicates that 40 percent of adult jails provide no educational services, 89 percent provide no special education services, and 93 percent provide no vocational training.⁴⁸
- Children prosecuted as adults are on average 34 percent more likely to commit crimes again than children retained in the juvenile justice system.⁴⁹
- In 2003, African-American youth were detained at a rate 4.5 times higher than white youth. Latino youth were detained at twice the rate of white youth.⁵⁰

JUVENILE JUSTICE

FEDERAL POLICY RECOMMENDATIONS

- Eliminate the Valid Court Order exception to the Deinstitutionalization of Status Offenders Core Requirement of the JJDPA to ensure that youth who are truant are kept out of secure juvenile corrections facilities.
- Update JJDPA to decrease over-reliance on secure detention and to promote effective family-focused, school-based interventions for youth who are truant.
- Support funding for the Second Chance Act. The Second Chance Act is an important source of funding for youth reentry programs across the nation.
- Require the Office of Juvenile Justice and Delinquency Prevention to report annually the number of children charged with status offenses and held in secure detention, including the average length of stay in secure detention disaggregated by state.
- Ensure Jail Removal and Sight and Sound Separation core protections are extended to all children under 18 years of age who are held pre-trial, regardless of whether they are charged in juvenile or adult court.
- Change the definition of “adult inmate” so that states can place children convicted in adult court into juvenile facilities instead of adult prisons, without risking federal funding.



APPENDIX

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- 2 Bryk, A., P.B. Sebring, E. Allensworth, and J.Q. Easton. *Organizing Schools for Improvement: Lessons from Chicago*. Chicago: University of Chicago Press, 2010.
- 3 Houtenville, A. and K.S. Conway. "Parental Effort, School Resources, and Student Achievement." *Journal of Human Resources*, XLIII, 2. (2008): 437-53.
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