



# Update on Code of Conduct

April 5, 2016

# Goal



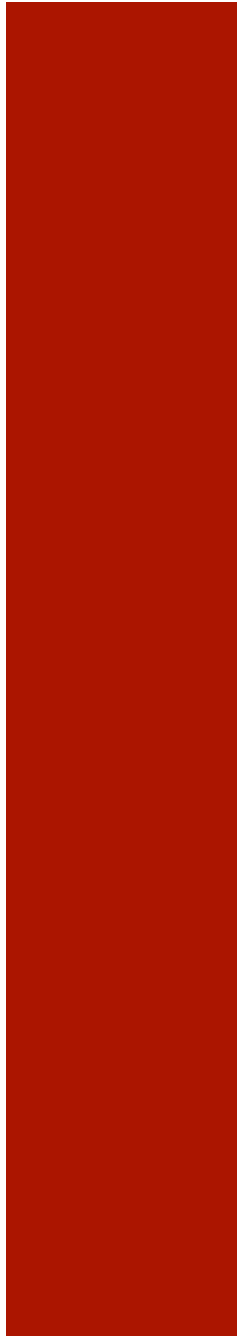
- Create a user-friendly Code of Conduct through a participatory, multi-stakeholder process that:
  - is data- and research-based
  - promotes school safety and academic achievement
  - limits student exclusion and justice-system involvement to the greatest extent possible
  - promotes racial equity
  - advances restorative approaches, is in alignment with PBIS and MTSS plans, and leverages other existing TUSD assets

# Overview of Focus Groups



- 16 focus groups in January 2016 involving nearly 150 people
- Groups of students, parents, teachers, school administrators, district staff, classified support staff, certified support staff, and other community members
- African-American, Latino, and Native American parent and community groups

# Key Findings and Recommended Action Steps



- Key Finding #1: GSRR is too long, dense, and confusing to be used effectively by all district stakeholders.
  - Action Step #1: Create a much shorter, less legalistic, and more user-friendly Code of Conduct.
- Key Finding #2: GSRR has a very negative tone and is reminiscent of a criminal code.
  - Action Step #2: Establish a more positive and forward-looking tone in which the importance of discipline and school climate is explained and put in the context of the mission, vision, and goals of the district.

- Key Finding #3: There are concerns over disruptive student behaviors and unhealthy school environments in many schools.
- Action Step #3: Emphasize disciplinary techniques that focus on the root cause of behavioral issues, help students to learn appropriate behaviors, and promote positive and supportive school climates.

- Key Finding #4: Out-of-school suspensions and referrals to law enforcement are sometimes used when they are neither necessary nor effective, resulting in excessive lost learning time and a myriad of harms to students, families, schools, and the entire community.
- Action Step #4: Place greater emphasis on using the full array of disciplinary responses, and using the most severe consequences only when necessary.

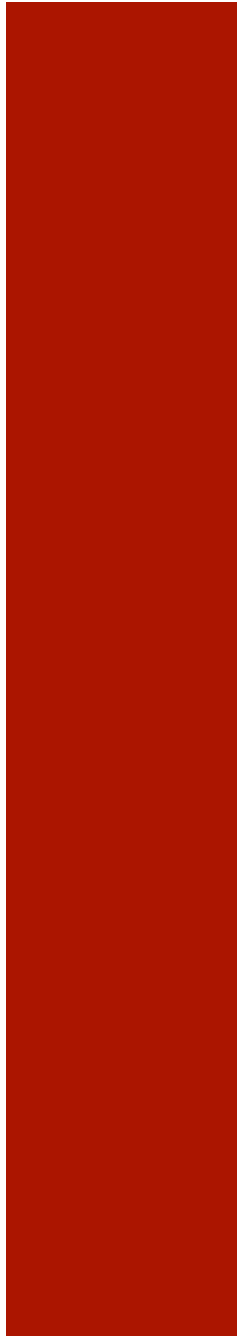
- Key Finding #5: Disciplinary practices are uneven across the district.
- Action Step #5: Promote greater consistency across the district as it relates to the most serious disciplinary consequences, while allowing for individual schools to have autonomy in administering lower-level disciplinary responses.
- Key Finding #6: There is a need for greater clarity around dealing with serious or repeated disciplinary issues.
- Action Step #6: Develop clear protocols for dealing with school safety threats and persistent misconduct.



- Key Finding #7: When students are suspended, they also often suffer additional academic penalties.
  - Action Step #7: Eliminate the academic consequences that often accompany behavioral consequences.
- Key Finding #8: There is a need for greater attention to the causes and consequences of racial and ethnic disparities in school discipline.
  - Action Step #8: Address the root causes of such disparities and establish ongoing mechanisms for monitoring and correcting them.

- Key Finding #9: District needs to build on the quality practices that are already in use around the district and address the many remaining areas for improvement in an ongoing way.
- Action Step #9: Establish mechanisms for ensuring the Code of Conduct is implemented with fidelity and promotes continuing improvement of disciplinary practices.

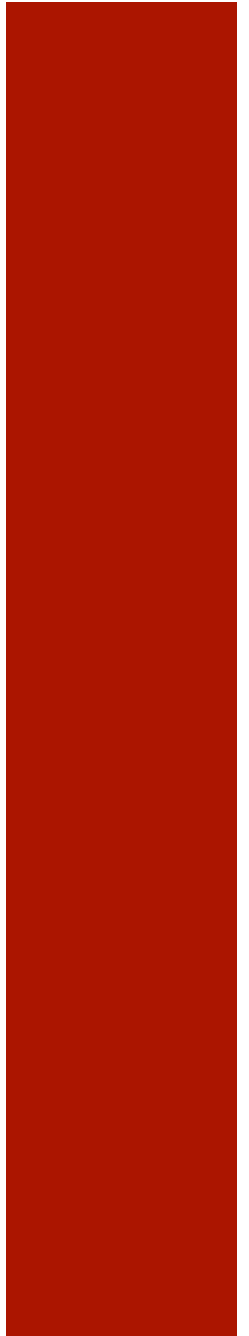
# Code of Conduct Working Group



# Code of Conduct Working Group

- Diverse, multi-stakeholder group
- Intentionally created to include a wide variety of perspectives
- Includes:
  - 6 teachers
  - 3 school support staff (School Safety Officer, Psychologist, LSC)
  - 3 school administrators
  - 3 district administrators
  - 5 students
  - 3 parents
  - 4 community members

Relevant  
National  
Context



# What we know about harsh disciplinary practices and “zero tolerance”

- Do not address the problems they were intended to solve
- Instead, they have created a slew of new problems

# Research findings

- Have not made schools safer or improved school performance
  - On the contrary, they often have the opposite effect
- Significant contributors to low graduation rates and racial achievement gap
- Pushed more youth into the juvenile and criminal justice systems

# Research findings

- A study of more than one million students found that students who were suspended or expelled were:
  - Six times more likely to repeat a grade
  - Five times more likely to drop out
  - Nearly three times more likely to be in contact with the juvenile justice system the next year
- Research has found that being arrested in school doubles the chances of dropping out, and a first-time court appearance quadruples the chances of dropping out



# Research findings

- The impact of these practices can follow students for the rest of their lives, and create major obstacles during immigration-related processes and when applying for college, financial aid, the military, and certain jobs
- Research has shown that students of color are disciplined far more harshly than their peers, even for the same behaviors
- Students with disabilities, students in foster care, and LGBTQ students are also more likely to be affected by these practices

# Research findings

- Created hostile, unhealthy school environments, harming all members of the school community
- Damaged relationships between communities and schools, and between communities and law enforcement
- By making students less likely to succeed academically and more likely to become incarcerated, these practices carry steep economic costs for all taxpayers

# Counter-productive for educators

- There is no evidence that these practices improve student behavior
  - Instead, they often create worse behavior, and fail to help students learn the skills and strategies they need to improve avoid future problems
- Damages relationships between students and educators, and alienates students from schools
- Lost learning time leads to students falling behind academically and teachers having to take time away from others to catch them up
- Students returning from OSS are further disengaged and behind academically, and thus often more disruptive
- Undermines efforts to improve graduation rates, test scores, and achievement gap

# School discipline reform: A bipartisan issue with support across the ideological spectrum

- E.g.
  - U.S. Department of Education
  - National Education Association
  - Council of State Governments Justice Center
  - Fight Crime Invest in Kids (law enforcement organization)
  - National Council of Juvenile and Family Court Judges
  - American Federation of Teachers
  - U.S. Department of Justice
  - The Heritage Foundation
  - Right on Crime
  - American Bar Association
  - Americans for Tax Reform
  - National Association of State Boards of Education

# Moving from “zero tolerance” to smart school discipline

- Smart discipline helps students to learn how to correct their behavior and create schools that are healthier, safer, and more productive
- Schools and school districts around the country have improved school safety, boosted school attendance, improved school climate, and raised academic achievement through disciplinary approaches that:
  - reduce the use of exclusionary disciplinary practices
  - rely on developmentally appropriate disciplinary consequences
  - prioritize equitable practices
  - implement alternatives such as PBIS and restorative practices

## Denver, CO

- Rewrote discipline policies, putting sharp limitations on the use of OSS, expulsions, arrests, and summons; encouraging use of alternatives such as restorative practices; and putting explicit emphasis on addressing racial disparities
- Invested in restorative practices at the school level
- Rewrote school/police contract to clarify that law enforcement are not to handle school disciplinary matters
- Out-of-school suspensions have dropped by 60%, expulsions decreased 54%, and referrals to law enforcement are down 57%.
- Superintendent cites these discipline reforms as primary causes of the district's significant improvements in attendance and graduation rates in recent years

## Baltimore, MD

- Rewrote its Code of Conduct to limit the use of harsh disciplinary sanctions to when they are developmentally appropriate
- Went from issuing over 26,000 suspensions per year to under 8,000
- Achieved a record high graduation rate, in particular for Black males
- Experienced rising enrollment for the first time in over three decades
- Juvenile crime dropped across the city

## Los Angeles, CA

- School board passed “School Climate Bill of Rights” requiring:
  - Exhaustion of alternatives prior to issuing a suspension
  - Implementation of restorative justice programs in all schools
  - Targeted training in restorative practices for schools with high OSS, ticketing, and arrest rates
  - Minimization of the role of law enforcement, probation, and the court system in schools
- Also recently passed new law enforcement protocol that encourages alternatives to arrests for behaviors that do not threaten school safety



# Clayton County, GA

- Created multi-agency collaborative agreement and a “system of care” for responding to school disciplinary issues
- Emphasis is on:
  - Providing school-based alternatives to arrest and OSS
  - Using targeted interventions that address root causes
  - Expanding mental health services for youth and families
- School referrals to juvenile court dropped by more than 70%
- Graduation rates increased by more than 20 percentage points
- Quantitative and qualitative data indicate that schools are far safer than they were previously

## See also

- Council of State Governments Justice Center's *School Discipline Consensus Report*
- U.S. Department of Education's *Rethinking Discipline* website and Guidance Package on School Discipline

Next Steps

# Getting to the finish line

- Finalize recommendations from working group
- Submit draft Code of Conduct to Dr. Morado, Dr. Sanchez, and their teams for their feedback before the draft goes to the *Fisher* and *Mendoza* plaintiffs, the DOJ, the Special Master, and the Governing Board
- Develop plans for effective rollout and implementation of the new Code
- Develop list of recommended changes in other district and Board policies to ensure alignment with final Code

Questions or  
comments?

